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Scottish Parliament

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[The Presiding Officer opened the meeting at 12:20]

First Minister's Question Time

The Presiding Officer (Ken Macintosh): Good afternoon, colleagues. As usual, we begin business with First Minister's question time. In line with the current custom, I invite the First Minister to update us on the Covid situation.

The First Minister (Nicola Sturgeon): Thank you, Presiding Officer. I will give a very short update on today's statistics and recent developments.

The total number of positive cases reported yesterday was 1,089, which is 4.6 per cent of all tests reported. The total number of cases is therefore now 85,612. There are 1,212 people in hospital, which is 29 fewer than yesterday, and there are 85 people in intensive care, which is three fewer than yesterday.

I regret to report, however, that in the past 24 hours another 50 deaths have been registered of patients who had tested positive in the previous 28 days. The total number of deaths under that daily measurement is now 3,427. Once again, I convey my deepest condolences to everyone who has lost a loved one.

We will shortly publish the latest estimate of the reproduction number in Scotland. We expect that it will show the R number now to be very slightly below 1. That indicates that the current tough measures that have been in place have had an effect. However, the overall national situation, which the R number estimate reflects, masks some regional variations. In the parts of the country where there is the highest prevalence, we have not yet seen as significant or as rapid a fall in cases as we need to see.

That is why we have taken the decision to move 11 local authority areas to level 4, from 6 pm tomorrow until Friday 11 December. Of course, that decision was a difficult one to make; it was even more difficult for many businesses and individuals to hear. However, in the situation that we face, in common with much of the rest of the world, the job of Government must be to do what is necessary to save lives and protect health, even when we know that such decisions will not be welcome.

In our judgment, and that of the experts who advise us, those temporary measures are necessary to reduce loss of life and serious

illness, to ensure that hospitals and intensive care facilities are able to treat Covid and non-Covid patients over the winter, and to allow people, albeit in a limited and careful way, the prospect of being able to spend some time with loved ones over the Christmas period.

Difficult though it is, I ask people to abide by the rules in order to keep themselves and their families safe, as part of our collective efforts to get through the rest of the pandemic with as little harm to health and as little loss of life as possible. Anyone who is in any doubt about the regulations that apply in their area should visit the Scottish Government's website and use the postcode checker.

I will close by giving a summary of the advice and rules that are in place. With the exception of people in Orkney, Shetland and the Western Isles, no one should visit others' homes at the moment, except for essential purposes. Outdoors and in indoor public places, we should meet in groups of no more than six people from a maximum of two households. Slightly more relaxed rules for outdoor meetings come into force today in the level 1 areas, but the basic rule remains six from two. Of course, travel restrictions continue to be vital, and some of those restrictions will become law from tomorrow evening. More detailed information about them can be found on the Scottish Government website.

Finally, I ask everyone to remember the FACTS advice: wear face coverings; avoid crowded places; clean your hands and hard surfaces regularly; keep a 2m distance from people in other households; and self-isolate and get tested immediately if you have any Covid symptoms. I again thank everyone who is following all those rules.

The Presiding Officer: The First Minister will now take questions. I encourage all members who wish to ask a supplementary question to press their request-to-speak button as soon as possible.

Covid-19 (Christmas Planning)

1. Ruth Davidson (Edinburgh Central) (Con): Last month, I asked the First Minister to consider a Christmas loneliness plan so that no one would be left sitting alone at their Christmas table. I am pleased by the reports of four-nations discussions to make it easier for people to have some kind of meeting, no matter where their family lives, but Christmas is only five weeks away. We must treat the public like grown-ups and let them into Government thinking so that they can plan for themselves.

Therefore, I ask the First Minister to give people at home more information on how those four-nations talks are progressing, and to give a fuller

sense of what is being considered by her Government for the festive time.

The First Minister (Nicola Sturgeon): In the late afternoon yesterday, I took part in a four-nations discussion with Michael Gove from the UK Government, the First Minister of Wales and the First Minister of Northern Ireland. Among other things, we discussed the Christmas period and how we could come to a sensible—I stress “sensible”—and safe plan that will allow people not 100 per cent normality over Christmas, but a greater degree of normality, in particular the ability to spend some time with loved ones.

From that meeting yesterday, we charged our officials, advised by our respective chief medical officers, to put together a concrete proposal that we will then consider and, I hope, announce the detail of in the coming days—although, obviously, we need to wait to see what that proposal is. I hope that we will be able to share it with the public over the course of the next week.

We are all determined that we come, if possible, to a four-nations agreement, given family patterns across the UK. I think that we are also all determined to strike, as best we can, the right balance between the understandable desire—which I share—to see family over the Christmas period, which is so special to so many of us, and doing that in a way that does not lead to increased loss of life and increased harm to health over January. That is not going to be an easy balance to strike, and I already hear people expressing concerns about our even considering that kind of relaxation. However, it is important that we try to get that balance right, so we will continue to do that work.

More broadly, we are working with the older people’s strategic action forum on plans to support older people over the winter. That includes, of course, the Christmas period. We have already announced additional funding to local and national organisations that support older people, including Generations Working Together, the Scottish Pensioners Forum, Outside the Box, Hourglass and Age Scotland.

We know that Christmas will be particularly difficult for older people and, indeed, for anybody who is on their own. We are considering the proposal that was put forward during an earlier debate in Parliament about a specific Christmas loneliness campaign, and we will announce more detail of that shortly.

Ruth Davidson: I thank the First Minister for that answer. We all understand that relaxing the rules for any period, even a day, comes with consequences and will require mitigations, if it is to work at all. Yesterday, the Government adviser Dr Susan Hopkins said:

“the Sage ... advice previously suggested that for every day we release we will need five days of tighter restrictions”.

Does the First Minister recognise that figure of five days of tightened restrictions for every day of festive relaxation? Is that 5:1 ratio part of the Scottish Government’s planning?

The First Minister: It is not specifically part of the planning. I understand that that figure has been discussed—in what detail, I am not yet sure—by the scientific advisory group for emergencies, but I have not yet seen the minutes of the meeting of SAGE at which, I understand, it was discussed.

I am seeking, right now, advice from my public health advisers—principally, obviously, the chief medical adviser—about the basis for that view and whether, for example, the calculation of five days for every one day of relaxation would apply if there was complete relaxation or would be less if the relaxation was more minimal, as I think is likely. We are interrogating that right now. The reason why all four Governments asked that a proposal be brought forward that is fully informed by the advice of the chief medical officers is that we make sure that we factor in all such analysis and assessment.

I do not underestimate how difficult the balance will be for us all to strike. I want people to have a degree of normality over Christmas, but I do not want to have to announce, or the country to have to live with, numbers on more bereaved families and a death toll that could have been avoided, were we to get that balance wrong. We will take great care, listen to advice and ultimately, I hope, arrive at a judgment that we all think is safe and sensible.

Ruth Davidson: The reason why I asked about the 5:1 ratio is that I think that most people need to be prepared for what is coming. The restrictions that millions of Scots in levels 3 and 4 are living under now were explained to us as suppressing the virus for its own sake, but also as allowing us hope of some form of contact this Christmas. What we need to know now is whether the current restrictions are the price of relaxation this Christmas, or whether the bill will be paid by us all in the new year.

Whether it is, as the SAGE team advises us, five days of restrictions for one day of relaxation or some other number, we all want to know whether the current good work is enough and whether we will have to start preparing ourselves now for a January shutdown.

The First Minister: I will try to set that out over the course of the next week or so—in common, I hope, with others across the United Kingdom. As I have sought to do all along, I am trying to be pretty

straight with people about what trade-offs we have to make in so many aspects of handling the pandemic. When I, as First Minister, have been advised by the people who advise me, who have a deeper understanding of what that will mean in January, I will set that out clearly. I will not speculate on a five-days-for-every-one-day situation, because I have not seen what underpins the opinion that has been expressed on that. I will work through that with others over the next few days.

What I know and have set out clearly is that in order for us even to reach the space of being able to propose some flexibility in particular parts of the country—unfortunately, they are the most populated parts of the country—we must get infection levels lower than they are now. That is one of the reasons for the level 4 restrictions that will start in 11 local authority areas tomorrow.

There are two aspects to that. First, when we have infection levels at a stable but high level, as we do across the central belt, an increase could very quickly overwhelm our national health service. We have to get the levels down for that reason. We know that people coming together over Christmas, whether in the way that SAGE has set out or in some other way, will increase the transmission risk.

The other reason to get infection levels down now is that if, by the time we get to Christmas, there are fewer people in the population who have Covid, by definition there will be a lower risk from people getting together and of one person in a group having the virus and passing it on.

For both those reasons, if we get infection levels down, we will give ourselves the ability to perhaps ease a bit over Christmas in a safer way than we would if infections levels were to remain where they are right now. That is one of the reasons for the restrictions that we are imposing now. If relaxing at Christmas has implications for January, of course we will set that out fully. I want to make sure that we have fully considered and understood the implications, so that the information that we set out to the public is full and is delivered in as straight and open a way as possible.

Ruth Davidson: The First Minister has rightly listened to representations from across the chamber regarding the position of students this Christmas, and she is bringing in mass testing to allow them to return to their families. We support that.

Will the First Minister agree that students are not the only group that are required to spend significant time away from the family home? Scotland is home to 10,000 uniformed military personnel. Will she agree to make the same arrangements for soldiers, sailors and the Royal

Air Force as she has for students, and make sure that our troops get home this Christmas?

The First Minister: Obviously, any arrangements for testing would be for the Ministry of Defence to decide. We will work with the MOD and if we can facilitate that, we will.

Earlier this week, there was a story in the newspapers—or one newspaper, I should say—to the effect that somehow soldiers in Scotland are under rules about going home for Christmas that are different from those that soldiers elsewhere in the UK are under. That is absolutely not the case. Soldiers who are stationed in Scotland are in barracks, and barracks are workplaces. Nothing in the rules in Scotland prevents them from travelling home; that is the case in Scotland as it is in the rest of the UK. We said that we would make that clear to the MOD, and that has been done. Apart, perhaps, from in the mind of the newspaper that reported that, there is no dubiety about that.

That is the position and we will continue to work across different sectors to make sure that arrangements are in place for people to take safe and informed decisions about how they behave over Christmas, as they do at other times of the year.

Covid-19 Restrictions (Travel Ban)

2. Richard Leonard (Central Scotland) (Lab): Tomorrow, a travel ban will become law. It is a law that Parliament will have barely scrutinised, let alone voted on. The ban will mean that people in levels 3 and 4 will be acting criminally if they travel outside their local authority area for anything other than essential journeys. The same is true of those travelling into level 3 and 4 areas. Is the First Minister confident that, by 6 o'clock tomorrow night, everyone will have sufficient knowledge and full understanding of what constitutes an essential journey, so that they can act in accordance with the law?

The First Minister (Nicola Sturgeon): I will do my best, as I have done every single day during the pandemic, to ensure that people have an understanding of the guidance and the rules that are in place and how they can abide by those rules. I think that I have already said in the chamber today—I will say it again—that anybody who is in any doubt can go on to the Scottish Government website and look at the rules and what the exemptions to the travel restrictions are.

I think that we all understand the reason for the travel restrictions. Travel restrictions have been in place previously in the pandemic—in Wales, for example. If somebody has a reasonable excuse to travel, that exempts them from the restrictions. The regulations give a number of examples, non-

exhaustively, of what a reasonable excuse might be.

We will continue to take the steps that we have been taking through the daily media briefings, parliamentary occasions such as this one and our advertising campaigns to ensure that people have awareness. We also make the information available for people to check.

Richard Leonard: I thank the First Minister for that answer and especially for her commitment that the list of exemptions is not exhaustive.

Yesterday, the Cabinet Secretary for the Constitution, Europe and External Affairs told an incredulous public and a committee of the Scottish Parliament that, although international travel continues to be perfectly legal, travelling to the airport may be a criminal act. Let me describe what that means to one family.

Linzi Page lives in Fife. She has stage 4 cancer and she is just 38 years old. She has a family holiday in Tenerife booked with her seven-year-old son and her four-year-old daughter. I spoke to Linzi this morning. She told me that the family has had a tough year and that the holiday would be a nice memory for them. She said that it is a precious time with the family that they will never get back. The family are due to fly out from Edinburgh a week today. However, by then, it will be illegal for her to travel to the airport. What is the First Minister's advice today to Linzi Page?

The First Minister: I wrote to Linzi this morning to clarify the situation. She wrote to me last night to outline her situation, which is, indeed, tragic. My heart goes out to her, as I am sure the heart of each and every one of us does. She asked me for clarity on whether she can go on a final holiday with her family. As I said, I have written back to her today, and I have advised her that, under the regulations, anyone who is in a situation such as hers can go on a final holiday.

As I have already said, the travel restrictions come with a general exemption. People can have what is termed in law "a reasonable excuse", and the regulations give a list of examples of what a reasonable excuse might be. As I have already said, that list is not exhaustive, but there should be no doubt that Mrs Page would absolutely meet the exemption, because one of the explicit examples that are given in the regulations is travel for compassionate reasons that relate to the end of a person's life.

Linzi's situation is tragic but, on both compassionate and legal grounds, she can go on her holiday. I wish her and her family well.

Richard Leonard: I thank the First Minister for that undertaking, which will, I am sure, be greatly

welcomed. I am sure that we all approve of the compassion that lies behind that.

In general, people want a Government that works with them, not against them, on things such as the travel restrictions. The overwhelming majority of people are just trying to keep up with the regulations in order to follow them. However, as things stand, the best-case scenario is that the travel ban will confuse them; the worst-case scenario is that it will criminalise them. The travel ban is a red herring. Instead, the First Minister must take action on some of the things that members of the Scottish Parliament and the people have been calling for, such as a properly resourced test and protect system; appropriate personal protective equipment for our doctors and healthcare workers; safer schools for our children, school staff and teachers; the comprehensive testing of departing and returning students; additional support for our businesses and working people; routine testing for all front-line workers; and a public inquiry into our care homes.

I raise those issues because, as I have repeatedly said, it is in all our interests for the Government to get this right. Will the First Minister admit that she has not got this right? Before it is too late, will she rethink the travel ban and its application?

The First Minister: All along, I have said that I have not got everything right and I will not get everything right. I will continue to try to get things right and be candid when we do not. I will also take the actions that I consider—and people are entitled to disagree—are necessary to keep the country as safe as possible. In a situation like this, it is absolutely incumbent on someone like me to do my level best to do the right and the necessary things, even if they are not always popular or welcome. I would be failing in my responsibility if I did not do that.

On travel restrictions, we have a situation in Scotland whereby a significant proportion of the population will go into the highest level of restrictions from tomorrow evening. I have set out the reasons for that. I am making no criticisms, but, unlike the situation in England and the situation in Wales a few weeks ago, so far, we are avoiding a national one-size-fits-all level of restrictions, because we do not think that it is right for areas with low rates of the virus to have the same restrictions as areas with higher rates of it if we can avoid it. However, in order to maintain that proportionate, targeted approach, we must avoid taking the virus from higher-prevalence areas to lower-prevalence areas and having people from lower-prevalence areas going to higher-prevalence areas and taking the virus back, so that prevalence in those areas goes up.

To sum up:

“levels of the virus have risen and people living in those areas are not able to travel beyond their”

local

“boundary without a reasonable excuse. That is designed to prevent the spread of infection”

within the country

“and to other parts of the UK. I am determined to keep the country safe.”

That is what the Labour First Minister of Wales said when he introduced statutory legal travel restrictions in Wales. He was right, because he is determined to keep his country safe. I am as determined as he is to keep my country as safe as I possibly can.

Covid-19 (Parliamentary Scrutiny)

3. Alison Johnstone (Lothian) (Green): The First Minister has welcomed scrutiny of her Government’s response to the pandemic and, as always, the Scottish Green Party is committed to playing a constructive role in opposition.

Part of being open to scrutiny is listening to the will of the Parliament. The Parliament has called for a public inquiry into what happened in our care homes. It has twice backed my calls for regular testing of national health service and care staff and yesterday it backed the Greens’ calls for the Scottish Government to do more to keep our schools safe.

When will the First Minister respond to the will of the Parliament? When will her Government act on yesterday’s urgent call for more teachers in our schools, more support for vulnerable school staff and regular Covid tests for staff and senior pupils?

The First Minister (Nicola Sturgeon): We will consider the terms of the motion that was passed yesterday. In terms of extra teachers, I will outline an important point: we have already funded 1,400 additional teachers in our schools in order to help deal with the Covid pandemic. The Greens’ motion asked for an additional 2,000 teachers. I accept that the Opposition can pass motions—that is entirely legitimate—but the responsibility of Government is to determine how we fund that and where we find the teachers. That involves a lot of hard work and proper consideration, but that is what we will do.

We have already expanded testing to a range of different groups. The health secretary will make a statement to the Parliament next week setting out the next steps of our polymerase chain reaction—PCR—testing programme and how we are going to use the lateral flow technology to get rapid testing for groups of the population. We have already set out our plans for students and will use lateral flow technology to extend testing to more groups of NHS staff. We hope that we can do that

for other groups in the population such as those who work in our schools, as we see them as a priority. We will also set out plans for geographic mass testing in parts of the country with high rates of prevalence.

We will continue to do the hard work that is necessary to turn what we all want to see happen into reality. That is the responsibility of the Government and it is one that we take seriously.

Alison Johnstone: Two and a half thousand staff absences have been reported in schools in recent weeks. It is clear that action is urgently needed.

Testing helps us identify who needs to self-isolate. However, the Scottish Government’s own evidence suggests that compliance with self-isolation is low—it might be as low as one in four people. Many people simply cannot afford to self-isolate or to step away from important caring responsibilities, or they do not have the space at home.

On 27 May I asked the First Minister:

“What support will be made available to those who need to isolate? For example, will accommodation such as hotel rooms be offered free to those who need them?”

She replied:

“The short answer to that question is yes.”—[*Official Report*, 27 May 2020; c 10.]

The evidence has long been clear that providing hotels for self-isolation significantly increases compliance, as New Zealand has found. Indeed, that can also provide meals, medical care and laundry services free of charge.

Can the First Minister tell me how many people have been provided with hotel rooms for self-isolation since May? Will she commit today to ensuring that anyone who needs a hotel room to self-isolate will be given one?

The First Minister: A lot has happened since May, not least the self-isolation support payment, which people can apply for—we are looking at whether we can enhance and extend that to other groups. We have set up an outreach service through local authorities, so that everybody in the lowest-income and most vulnerable groups who is starting with those payments gets a call when they are advised to self-isolate, so that their individual needs can be properly assessed.

We will continue to assess whether there are accommodation needs or other needs that can be met. Just as we will with support for schools and with the roll-out of testing, we will continue to enhance the support that we can provide for those who are asked to self-isolate, given the importance of that intervention to help control the spread of the virus.

Mental Health Support (Police)

4. Willie Rennie (North East Fife) (LD): Liberal Democrats secured a commitment from the Government for 800 dedicated mental health professionals. They were for doctors' surgeries and accident and emergency departments, but also for the police, to help them with the increasing numbers of incidents that involve mental health issues.

Three years on, only 12 of those mental health professionals have been allocated to the police. That is truly pitiful. Why is the Government not supporting our police with the enormous mental health challenges that they face?

The First Minister (Nicola Sturgeon): I do not think that I have in front of me the up-to-date figures on the allocation of the 800 additional professionals to particular services, but I will make sure that I send that to Willie Rennie.

We support our police service in a number of ways. We have protected numbers of police officers and increased funding for the police service through the most recent budgets. Police Scotland also works in a range of different ways to support the mental health of police officers.

We will continue that support across police, teachers and the national health service in particular. The pressures of Covid have raised significantly the mental health pressures that those public servants are working under. We will continue to ensure that we are doing everything that we can to respond to that.

Willie Rennie: I can assure the First Minister that that is the up-to-date number, and it is just 12. That is just not good enough.

Police Scotland's demand and productivity unit has undertaken a mental health survey. Its report on the survey, to be published at the police board meeting next week, has staggering findings. Some 40 per cent of those who are in police custody have experienced poor mental health. The average time that it takes to handle a mental health-related incident is seven hours and 20 minutes.

A year ago, I asked the First Minister about shocking mental health issues in the police service. Now we find that police officers do not even get the support that they need to help other people. I ask her again: why does she think that it is acceptable for Police Scotland to receive just 12 mental health professionals, and will she do something about that?

The First Minister: There is a range of ways in which the police are supported on mental health issues. We will continue to take steps to enhance those where it is necessary. The wellbeing of

police officers is one of the principal responsibilities of the chief constable.

Current absence rates for police officers are lower than for the equivalent period last year. Police officers and staff can access a range of services to care for physical and mental health, including Police Scotland's your wellbeing matters programme. Police Scotland was one of the first police services in the UK to implement mental health and suicide intervention training for all officers. We have provided funding to extend the Lifelines Scotland wellbeing programme to all blue-light responders, including the police. That programme provides tailored online resources for responders, volunteers, and, indeed, their family members.

We also provide funding for other initiatives, including to help with the introduction of wellbeing champions.

We support the police in a range of different ways so that they can look after the mental health of their officers and support staff, and we will continue to have dialogue with the chief constable to ensure that we are supporting the police in whatever ways we possibly can.

Covid-19 (Travel Restrictions)

5. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): My question has been somewhat pre-empted by events.

To ask the First Minister whether the Scottish Government will consider putting travel restrictions into regulations, in light of reports that Covid-19 transmission rates are not slowing down sufficiently and, in some areas, are increasing again. (S5F-04574)

The First Minister (Nicola Sturgeon): As I said in the chamber on Tuesday, we will put travel restrictions into regulations from tomorrow. They will apply to travel within Scotland and to other parts of the United Kingdom and the common travel area. That action has not been taken lightly but, as I have set out already today, it is essential to prevent the spread of the virus from high-prevalence to low-prevalence areas. It is that which will allow us to continue to avoid a one-size-fits-all set of restrictions for the whole country.

I ask people, difficult though it is, to abide by the travel restrictions.

Christine Grahame: Unlike Richard Leonard, I and most of my constituents welcome making travel restrictions subject to legal enforcement, particularly because my constituency, which covers the Borders and Midlothian, is now at level 2, thanks to the efforts of the folks there.

However, Edinburgh, which is adjacent, is at level 3. Just over the city boundary, in Midlothian,

we have major retail outlets such as Dobbies, Ikea, Costco and Straiton retail park. How will travel from Edinburgh to such places be monitored? Purchasing a tray of winter pansies or wine glasses and cushions, while completely understandable, can hardly be considered essential, and that non-essential travel will spread the virus.

The First Minister: Christine Grahame raises some really important and fundamental points. I will take a moment to underline again the reasons for the travel restrictions.

We are seeking to avoid a national lockdown. The only way to take a proportionate and targeted approach that avoids people who live in areas in which the levels of the virus are lower having to live under restrictions that are designed for areas with much higher levels is to limit people's travel across the country. It is unpalatable and it is not something that anybody wants to have to live with, but it is one of the trade-offs in trying to avoid a one-size-fits-all lockdown, as is in place in many other countries and, indeed, in other parts of the UK right now. I ask people to consider that. Even if they do not agree with travel restrictions—people are entitled to take that view if they want—they should understand the reasons for them.

As I have already said today, there will be a range of exceptions for essential travel, including travel for work, education, healthcare and essential shopping, if that is not possible within the local authority area. People should use online shopping or shops, banks, and other services in their local area wherever they can.

As we have done on every aspect of the regulations throughout the pandemic, we want to see the new laws work through high levels of public compliance. We have had very high levels of public compliance, and I am deeply grateful to the public for that. We do not want to have to rely on enforcement. Enforcement will be a last resort, and, as is the case in relation to face coverings and other aspects of the coronavirus regulations, the police have enforcement powers. A fixed-penalty regime applies, and I am sure that the police will use that sensitively and proportionately, as they have done with all the regulations throughout the pandemic so far.

Free Ports

6. Graham Simpson (Central Scotland) (Con): To ask the First Minister when the Scottish Government expects a free port to open in Scotland. (S5F-04573)

The First Minister (Nicola Sturgeon): The first thing to be clear about is that free ports cannot and will not offset the damage that is being and will be caused by Brexit, which is taking Scotland

and the United Kingdom out of the world's biggest free trade area and single market; of course, in Scotland's case, it is doing so completely against our will.

The Scottish Government wants to build a high-productivity, high-wage, innovative economy in Scotland. We remain concerned that the focus of free ports may be on the low-cost, low-wage, low-value opportunities with which they are sometimes associated globally. For those reasons, we have not yet made a final decision on whether to support the designation of free ports in Scotland.

We will look carefully at the UK Government's proposal to ensure that free ports can work with our ambition for a low-carbon, wellbeing economy that also targets investment geographically and strategically. Now that some more details on the UK Government's proposals are available, we will gather the views of stakeholders and partners in the public and private sectors and will make the results of that survey work available. That will be crucial in forming our response.

Graham Simpson: The First Minister will be aware that, in England, the bidding process for free port status opened this week—although, as she has just said, it has not opened here. There is a lot of interest in Scotland in having free port status. The first free ports in England are expected to open next year.

Yesterday, I spoke to the management team at the Port of Cromarty Firth. In contrast to what the First Minister has just said, they told me that free port status could deliver high-tech, high-skill and high-wage jobs for them. They describe it as a tremendous opportunity. If Scotland does not act in sync with the rest of the UK on that, we stand to lose jobs to the rest of the UK. Will the First Minister get on board with free ports?

The First Minister: We will consider whether free ports are in the best interests of Scotland. That is what having a Scottish Parliament and a Scottish Government is all about. I know that the Conservatives think that it has been a disaster, but the majority of people in Scotland think that it is the right thing for us.

We will have discussions with stakeholders and we will come to the right decision. I am sceptical about the Conservative Government's commitment to a high-value, high-tech economy as opposed to a race to the bottom. However, if we think that the proposals are consistent with our ambitions for a high-wage, high-productivity, innovative economy, we will support them—if we do not, we will not support them. We will take the views of a range of stakeholders in coming to that decision.

What is beyond any doubt is the looming threat to Scotland of the end of the Brexit transition

period, either with no deal or with such a flimsy deal that it will cause chaos to our businesses the length and breadth of the country. Frankly, that is on the Tories.

Covid-19 (Resolution Foundation Report)

7. Pauline McNeill (Glasgow) (Lab): To ask the First Minister what the Scottish Government's response is to the report, "Caught in a (Covid) trap", by the Resolution Foundation, which says that almost a third of families who have experienced a reduction in income due to the pandemic are struggling to afford to heat their homes or buy fresh vegetables. (S5F-04581)

The First Minister (Nicola Sturgeon): The pandemic has had a significant financial impact on families, and to help mitigate that the Scottish Government has already provided significant financial support. For example, we have made more than £130 million available to tackle food insecurity and to ensure free school meal provision during holiday periods, right through to Easter. Last year, we invested £1.96 billion in supporting low-income households and I am pleased that, very recently, we opened applications for the new Scottish child payment.

As the Resolution Foundation notes, the United Kingdom Government must also play its part. I hope that the chancellor will ensure that next week's spending review provides adequate support for families, starting with making permanent the vital £20 uplift in universal credit.

Pauline McNeill: I believe that we may be seeing only the tip of the iceberg. Many people on furlough have seen a drop in pay over eight months, and that has been crippling for those on the lowest incomes. We all know that we are on the edge of mass job losses. We must also not forget about people on zero-hours contracts who did not get furlough. There is deep inequality in some of the ways in which support from both the UK and Scottish Governments has been provided. Will the First Minister commission an early analysis of who has lost income in the past eight months?

Scottish Labour welcomes the Scottish child payment, which we know that 28,000 people applied for on the first day it opened at the start of the month. In order to give families a boost in income, will the First Minister consider backdating the Scottish child payment to the start of November for all those who apply before the end of February, which is when the first payments will be made? That suggestion was put to the Cabinet Secretary for Social Security and Older People, who said that it was quite a complex issue. However, I have put to the First Minister today a simple way in which to do it, and I ask her if it could at least be considered.

The First Minister: It is complex, as there are both legal and practical issues—it is not about desirability. However, we are looking closely at ways in which we can further help low-income families, in particular over the coming winter period, and we will set out some further proposals on that shortly. We will continue to look at the specific suggestions regarding the Scottish child payment, but I do not want to underplay the complexities that are involved. We will have more to say shortly about how we will provide additional support for low-income families.

We will continue to do what we can to assess the equalities impacts of everything that is happening right now and to ensure that, as far as possible, the support that we provide is as targeted as it can be at those in need. The definition of those in need is changing, as the impacts of the pandemic are felt. There are people who, just a few months ago, would not have described themselves as being in financial difficulty, but who are now in a very different, and difficult, situation. We need to take account of that as we design our policies over the short, medium and long term.

Covid Restrictions (West Lothian)

Angela Constance (Almond Valley) (SNP): There is considerable disappointment in West Lothian about moving to tier 4 restrictions. Nonetheless, the West Lothian community will continue to pull together to protect our national health service and save lives. Right now, we need three things from our Government.

First, we need a clear statement of all the facts and factors specific to West Lothian that relate to why the decision was made, given that, historically, we have had a lower incidence rate, and there is a perception that we may have been a borderline case in the Government's considerations.

Secondly, can the First Minister outline the support that will be available over the next three weeks?

Thirdly, and most important, can she give us some hope for the future that there are indeed better days to come?

The First Minister (Nicola Sturgeon): I thank Angela Constance for her question. I will take the three parts in turn, as briefly as I can.

First is the rationale for the decision. Over the weekend and in the course of Monday and into Tuesday morning, when the Cabinet made its decision, an assessment was made by the national incident management team and, more broadly, by the Scottish Government's four harms group, of the most recent clinical data and the data

for the basket of indicators that we have set out. That included consideration by chief advisers.

Over the past week, West Lothian has not shown any sustained improvement in the number of cases or in the case positivity rate. Both those indicators remain stubbornly above the national average and people in West Lothian can look at the analysis, which was published on Tuesday on the Scottish Government's website, of the latest data for the West Lothian Council area. That will be updated next Tuesday, and I hope that we will see an improvement. One of the reasons behind using level 4 for some of the council areas that have stabilised, but at a very high level, is to try to get their levels down more quickly, so that they end up spending less time in level 3 and can go to a lower level much more quickly.

On the second part of the question, as we set out on Tuesday, businesses across West Lothian will have access to the grant scheme, and West Lothian Council will have access to the additional discretionary fund to help businesses, over and above the grant scheme, where it thinks that that is necessary. West Lothian will also have a share of the £15 million fund that we will make available for social and community support for council areas in level 4. Discussions are on-going between Scottish Government officials and councils about the allocation of that funding. The business support grant scheme is already open to applications from businesses.

The question on hope is perhaps easier to answer for West Lothian right now, given that, as of Tuesday next week, assuming—I am touching the wooden desk in front of me—that there is no significant deterioration between now and then, Midlothian and East Lothian will go down a level because their data has been declining in a more sustainable way.

Various factors are involved that are not people's fault in any way, shape or form. There are different travel patterns and population densities in those council areas that will feed into the figures. However, when we start to see numbers go down—as I hope that we will do for East Lothian and Midlothian next week—the levels go down as well, and people can live with fewer restrictions. If a council goes down a level, however—whether now or in the future—that does not mean that we can ease up or that the risk is passed. When there are fewer restrictions, there are more opportunities for the virus to spread, so it becomes more important for everybody to abide by the rules that are in place in their areas.

I hope that, in the weeks to come, there will be better news for West Lothian, as well as for the other councils in level 4 and for the whole country.

The Presiding Officer: I encourage colleagues not to ask three-part questions.

Covid-19 (Level 4 Restrictions)

Jackson Carlaw (Eastwood) (Con): Over the past 48 hours, the reality of Tuesday's confirmation of level 4 status has settled on my Eastwood constituents, who feel a mixture of weary resignation, bewilderment and fear. "What is it that we have failed to do?" ask many who have already done so much. Some small business owners who have invested heavily in stock for the season on which their livelihoods most depend have literally been in tears. Others have expressed alarm for their community.

These are not the sunny uplands with long, warm days of spring and summer ahead; rather, they are the cold, wet, short, dark days of winter, when the fear of isolation and loneliness presents challenges even without the addition of Covid.

Second-guessing the difficult decisions that the First Minister must take is a fool's game, as we have seen. People understand that. However, what they want from the Government is practical, easily accessed support to keep their businesses and communities alive, and they tell me that what they have heard so far does not cut it.

What more can we do and what more will the Government do—for more it must do—to ensure that small local businesses survive and thrive and, importantly, that as this winter progresses, Christmas besides, we do not find that anxiety, fear of isolation and loneliness have been compounded, such that a more predictable, terrible and tragic toll of self-harm, in any of its forms, is visited on our communities?

The First Minister (Nicola Sturgeon): Every single one of the decisions that I take, whether people agree with them or not and whether I get them right 100 per cent of the time or not, is taken with the sole objective of trying to keep the country as safe as possible and to get it through what I hope is now the final stage of the pandemic, with as few lives lost and as little harm to health—and, indeed, as little harm to the overall economy—as possible.

I understand the sentiment that says that, if we do less to control the virus, things are better for the economy. In fact, the opposite ends up being true: if we do not properly control the virus, the damage to the economy becomes worse, and the effects will be even longer lasting.

I know how difficult things will be for the local authority areas going into level 4 tomorrow, including Renfrewshire. I again make the point that the restrictions that will be in place in 11 local authority areas from tomorrow, albeit that they are the most populated parts of the country, are the

same restrictions, by and large, as those that are in place in the entirety of England, without exception. Every country is grappling with this. Many parts of Europe now have restrictions like this in place. That does not make it easier, but it is important that we all keep sight of the overall, global perspective.

Applications are now open for grant support for businesses. The grants match the support that has been made available by the United Kingdom Government for businesses in England, but the discretionary funding that we are making available over and above that goes further—from what I understand to be the case in England—and will give greater flexibility to local authorities to enhance their support for businesses both in the supply chain and others that do not fall into the categories concerned. I know that local authorities are working hard to get that support to businesses as quickly as possible.

Government has a big responsibility to ensure that we support businesses, but nothing that we can do will absolutely compensate business for every single loss that is made. That is true in Scotland, England, Wales and Northern Ireland and across the world. The most important thing that we can do for business is to get and keep the virus down, so that we can open not just the economy but society more, and do that sustainably. That is why, fundamentally, it is in all our interests to stick to the restrictions so as to get through the remaining phase of the pandemic as quickly and with as little harm as possible.

Hospitality Businesses

Daniel Johnson (Edinburgh Southern) (Lab): In recent days, Ian Murray and I have written to the First Minister on behalf of hospitality businesses in our constituency. Those business owners collectively run more than 100 premises across the city, and they estimate that, in total, almost 700 jobs have already been lost, with no changes for level 3. They fear that 500 more will be lost with the continuation of the restrictions. In advance of a full response, will the First Minister consider one of their key requests, which is that business hours for hospitality, while maintaining the ban on alcohol sales, should be changed from being open for 12 hours from 6 am to 6 pm to being open from noon until 9pm? That would enable two evening meal services. That small change could prevent half of the projected job losses. We all understand the need for restrictions, but the First Minister must surely agree that we must also review them to balance the economic cost of the public health measures.

The First Minister (Nicola Sturgeon): We will consider that in good faith as we consider all reasonable suggestions.

There is no part of me that wants to do things that are harmful to business; the idea that I want to do that is ridiculous. I know that that is not what the member suggests. I want to see us get out of this as quickly as possible and I want to see us get through it with as little harm to life, health and the economy as we can.

We will consider all reasonable suggestions. We must also bear in mind the reason for some of the restrictions. In hospitality, as with some other restrictions, it is, bluntly, about reducing the number of people who are coming together. I understand that changing the hours of those restrictions would be better for business, but it undermines the public health objective. We must reach a balance.

I know that businesses are struggling and that they are anxious and stressed, which makes my final point a difficult one to grasp. This is not just about now; it is about how quickly we can get through this. I made the point earlier that to ease up on restrictions because that is easier for the economy could, unfortunately, lead to the opposite happening because it will take longer to get out of this.

I have not yet seen the letter that Daniel Johnson refers to. When I see it, I will respond fully. I undertake to look particularly carefully at the specific point that he has raised.

Coronavirus (Support for Small Businesses)

Kenneth Gibson (Cunninghame North) (SNP): What impact will the Chancellor of the Exchequer's decision to scrap the job retention bonus have? The decision has been condemned by the Federation of Small Businesses, many of whose members had factored into their cash-flow forecasts the £1,000 given for each worker kept on until January. Meanwhile, the six largest supermarket chains have awarded £1.3 billion in dividends to their shareholders during the pandemic. Tesco alone had a half-yearly sales increase across the United Kingdom of 8.5 per cent and profits of £1.2 billion and has enjoyed rates relief of £585 million. The Welsh Government restricted such relief, securing £117 million for its economic crisis fund. When so many small Scottish businesses are under pressure, should we not do something similar?

The First Minister (Nicola Sturgeon): As I said to Daniel Johnson, we will consider all reasonable suggestions.

Members will be aware that the Scottish Government introduced reliefs through legislation for a full-year period. We are not able to withdraw eligibility in year. We will take decisions about future non-domestic rates support in the context of the Scottish budget, which is contingent on

discussions and decisions about the United Kingdom budget.

We have tried since the start of the pandemic, within the resources that we have available, to maximise the support that we give to businesses. That will continue to be the case. We will take the latest data into account, looking at where the greatest burden falls and trying to make sure that our response takes that into account.

“Do Not Resuscitate” Notices

Miles Briggs (Lothian) (Con): My constituent Heather Goodare had a “Do not attempt cardiopulmonary resuscitation” notice imposed on her during a three-day stay in hospital following a minor stroke. Ms Goodare did not discover that until she left the hospital, as the information was buried within her patient notes. Her daughter Roseanne had refused to sign the “Do not resuscitate” order when she was first asked to do so when her mother was admitted. Campaigners are raising growing concerns about that practice and about the human rights of vulnerable patients in Scotland. The chief executive of Age Scotland, Brian Sloan, has called on the Scottish Government to launch an inquiry into the practice. Will the First Minister agree today to do that? Will the Scottish Government also agree to act urgently to insist that it should be mandatory for forms to be signed by a patient, a family member or someone with a power of attorney?

The First Minister (Nicola Sturgeon): I responded to that question last week. I will consider that.

It is also important to be clear. Decisions about end-of-life care in individual cases or about the use of “Do not resuscitate” notices cannot be taken by politicians. Those are discussions for individuals and clinicians. I have always been clear—as has the health secretary—that no one in any circumstances—*[Interruption.]* Miles Briggs should let me complete the answer. No one must ever be put under pressure to do that. If there are examples of that happening—some have been sent to us previously—we will take steps to investigate those.

I cannot be clearer that that should not happen. I do not believe that it is happening in any systematic way, but even isolated incidents are not acceptable. Should there be evidence of such incidents, we will of course consider whether we need to take further action to ensure that they do not happen, because they should not. I am absolutely clear and emphatic about that.

Care Homes (Discharge of Covid-positive Patients)

Neil Findlay (Lothian) (Lab): This week, West Lothian will move into level 4, which means that visits to a care home can take place only once that home is clear of the last Covid case for 28 days. Last night, I was contacted by a member of a family whose mum was hospitalised yesterday and tested positive for Covid. They have been told today that she will be discharged to her care home while she is positive for Covid. Are we back to a policy whereby we discharge Covid-positive patients back into care homes? If we are, that means that there will be no visits to that home for 28 days. That is further evidence of the dreadful way in which we have treated older people for the duration of this pandemic.

The First Minister (Nicola Sturgeon): With the greatest respect, I do not accept that. There is no such policy and there will not be one. I clearly cannot comment on the individual case, because I do not know its circumstances. If Neil Findlay makes those available to me and to the Cabinet Secretary for Health and Sport after First Minister’s questions, we will look into the case and get back to him as quickly as possible. However, there is no policy of that nature and there will not be one.

Christmas Travel Plans (Northern Isles)

Beatrice Wishart (Shetland Islands) (LD): Shetland students and their families are anxious about Christmas travel plans. It is not easy to get home to the northern isles; it is expensive, and bad weather can often mean cancellations. There are understandable added complications this year, with limited services and reduced capacity because of the pandemic.

In one of the many emails that I have received, a student writes:

“We can no longer be left in the dark, we need to be treated like equals and have the promises from the government put in place at the same time they announce them.”

Will the Scottish Government recognise the need to plan in advance and issue urgent advice so that no student misses the boat?

The First Minister (Nicola Sturgeon): The Minister for Further Education, Higher Education and Science clarified that point with universities, and I think that there was a discussion on Tuesday with the National Union of Students, or student representatives, after we set out those plans.

Students will be able to go home for Christmas if they choose to do so. We put in place the plans, which include testing, to ensure that that process is as safe as possible and that the travel restrictions will not stop students from going home.

That has been made clear. The exemptions that I have set out will be there in the regulations. There will be work to do, after the first iteration of the regulations, to ensure that they align with the household restrictions, but there is no dubiety about the fact that the travel restrictions will not prevent students from returning home for Christmas if they choose to do so.

More widely on the subject of public transport—which clearly has a particular resonance in relation to travel to the islands—one of the things that we discussed around Christmas generally, on a four-nations basis yesterday, is how we can ensure that our plans are aligned with public transport capacity. With the best of intentions, although we want to give people the ability to come together a bit more at Christmas, we do not want to create issues—either of capacity or of infection risks—on the public transport network. That point is important for the country as a whole, but particularly for the islands. I will ensure that the Cabinet Secretary for Transport, Infrastructure and Connectivity considers ferry capacity issues, in particular, as we take those decisions.

I want to be clear that students will be able to go home at Christmas. However, we ask them to take all safety precautions, and we are, of course, putting in place arrangements to help them do that.

Free Ports

John Mason (Glasgow Shettleston) (SNP): Does the First Minister accept that the experience of free ports in the United States has been that they lead mainly to the relocation of existing jobs rather than to new jobs—a situation that also happened in the United Kingdom in the 1980s? Would that be one of her concerns about free ports?

The First Minister (Nicola Sturgeon): Yes, that is one of the concerns and one of the things that we have to consider carefully. We are conscious of the risks that have been highlighted, which is why we want to carry out a full assessment and due diligence and not just accept or decline before we have had a chance to do so. We want to have thriving businesses in Scotland that meet standards of fair work and that contribute towards an inclusive green wellbeing economy.

If free ports are to be implemented in Scotland, they cannot simply be a vehicle for businesses to avoid paying tax or get around planning permission or other regulations, and they cannot just displace jobs from one area to another. That is why we are considering the whole issue so carefully.

Attacks on Emergency Workers (Sentencing)

Liam Kerr (North East Scotland) (Con): The Scottish National Party's effective ban on short sentences means that most criminals who are convicted under the Emergency Workers (Scotland) Act 2005 never see the inside of a prison cell. Will the First Minister back Scottish Conservative plans to double the maximum sentence for assaulting an emergency worker?

The First Minister (Nicola Sturgeon): I make a point of ensuring that I do not rule out suggestions that are made. It is important to consider suggestions, and in that spirit I undertake to consider the matter. I have to say that I always hesitate when it comes to some—although not all—of the Conservatives' criminal justice policies around short sentences.

We need to consider such matters carefully. The vast majority of people in Scotland understand that it helps to cut crime and rehabilitate offenders if we have alternative sentences rather than short-term prison sentences, which often do not meet those objectives. I think that, across the chamber, we are unanimously clear about how abhorrent it is for anybody to attack an emergency worker. However, we have to make sure that we have in place the right criminal justice policies to punish offenders and also contribute towards rehabilitation and cutting crime.

Support for Estranged Students

Iain Gray (East Lothian) (Lab): Next week is the fourth annual estranged student week, which seeks to raise awareness of family estrangement and of the fact that those students face additional barriers to success due to financial pressure, accommodation challenges and poor mental health, all of which are exacerbated by the pandemic. For example, for many—if not most—estranged students, going home for Christmas is not an option. What additional, specific support is the Scottish Government putting in place to help them?

The First Minister (Nicola Sturgeon): I understand that we have had discussions with the organisation that represents estranged students. Those issues are really important. When the Minister for Further Education, Higher Education and Science outlined the plans for supporting students to go home for Christmas, he explicitly made the obvious, but important and often overlooked, point that, for some students, university is home. That is the case for estranged students and care-experienced young people and students.

We are clear about the responsibilities that universities have to give proper support to young people who will be staying on campus over the

Christmas period. That is important every year, even during normal times, and it is particularly important during the pandemic.

Given that I know that there have been discussions, I will arrange for some correspondence about the outcome of those discussions and any particular points that we have agreed to take forward as a result of them to be given to Iain Gray. I hope that he accepts the assurance that we absolutely recognise the importance of the matter and want to make sure that students who are in that position have the support that they need.

Edinburgh Zoo (Financial Support)

Alex Cole-Hamilton (Edinburgh Western) (LD): The Royal Zoological Society of Scotland has signalled that a number of its staff have entered the redundancy process. Put simply, the continuing restrictions on travel into and out of Edinburgh due to its level 3 status are a body blow to Edinburgh zoo's pathway to recovery. It simply cannot sustain month upon month of reduced footfall while we wait for the vaccine.

With a cross-party effort, the Parliament has saved the zoo once before. Will the Scottish Government now back the investment that was made by the Parliament by extending further emergency funding to tide the zoo over through the winter months?

The First Minister (Nicola Sturgeon): Of course, the Scottish Government did provide funding for Edinburgh zoo, and we will continue to consider how we support it and other organisations.

Although I recognise the difficulties that many members are understandably raising about the impact of the restrictions, we must all be clear that it is the virus, not the restrictions, that is causing the harm. Therefore, we have to control the virus in order to minimise the harm to the economy and organisations. That is difficult for people to grasp and accept. It is a horrendously difficult situation, but that is the fundamental truth at the heart of the challenge that we are going through. In the midst of it, as we navigate our way through and hopefully get closer to the end of it, we will continue to consider how we support those that are bearing the burden, which will undoubtedly include Edinburgh zoo.

The Presiding Officer: On that note, we conclude First Minister's question time.

13:24

Meeting suspended.

13:59

On resuming—

Portfolio Question Time

Constitution, Europe and External Affairs

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

The next item of business is portfolio questions on the constitution, Europe and external affairs. I remind members to press their request-to-speak button or to put the letter "R" in the relevant box if they wish to ask a supplementary question.

Cuban Government (Discussions)

1. **Elaine Smith (Central Scotland) (Lab):** To ask the Scottish Government what recent discussions it has had with the Cuban Government. (S5O-04769)

The Minister for Europe and International Development (Jenny Gilruth): Following a request from the Cuban embassy in London, Scotland House London held an official-level meeting with the economic and commercial counsellor from the Cuban embassy in London on 10 March this year. The discussion focused on general trade and economic priorities for both nations.

Elaine Smith: I am pleased that that meeting took place. However, is the minister aware of the support of many people in Scotland for awarding a Nobel peace prize to Cuban health workers who selflessly help countries around the world—including in Lombardy in Italy, which was badly affected by Covid-19—and who do so despite their own country being denied vital medicines because of the US blockade? Does the minister support calls for the removal of US-imposed sanctions, and will she make contact with Cuba to see what we can learn from its successful approach to tackling coronavirus?

Jenny Gilruth: I recognise that Elaine Smith recently nominated Cuba's Henry Reeve international medical brigade to receive the 2021 Nobel peace prize. The Scottish Government of course acknowledges the achievements and great sacrifice of all medical staff—here in Scotland and throughout the world—throughout the pandemic. Although it would not be appropriate for the Government to endorse the Nobel peace prize nomination—I do not think that we have ever done

so—we recognise Cuba's excellence in training medical professionals, and we recognise the humanitarian work that that enables them to achieve throughout the world.

Animal Sentience (European Union Principles)

2. Mark Ruskell (Mid Scotland and Fife) (Green): To ask the Scottish Government how the provisions in its proposed European Union continuity bill will stay aligned with EU principles on animal sentience. (S5O-04770)

The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell): The Scottish Government fully accepts the scientific basis for animal sentience and will take all appropriate action to safeguard animal welfare standards. Animal sentience has been implicitly recognised in Scottish legislation for more than a century, most recently in the Animal Health and Welfare (Scotland) Act 2006. Our newly established Scottish animal welfare commission has a specific remit to report annually on how the welfare needs of sentient animals have been addressed in all areas of relevant legislation.

The power in section 1(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Bill is a general power for ministers to align with EU law where appropriate, and Scottish ministers will have regard to many factors. However, should that power be approved by the Parliament, it will not be the only way that Scottish ministers could legislate to align with EU law after the end of the transition period.

Mark Ruskell: My impression of where we ended up at the end of the first continuity bill—UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill—was that animal sentience needs to be reflected in provisions in Scots law. The provisions in laws in relation to agriculture, fisheries, transport, research and technological development have to pay full regard to welfare requirements under current animal sentience provisions. Where will that provision be in Scots law, going forward? Is not there a danger that we will end up with a gap between Scots law and the provisions in European law?

Michael Russell: The purpose of the continuity bill is to avoid a gap in such an important area as animal sentience, which was fully accepted during the debate on the first continuity bill. We will use the appropriate provisions as we can. I do not think that there is any danger of its being ignored. It was fully debated and discussed in the first continuity bill and it remains a concern in the second continuity bill. The provisions in the bill, among other provisions, can tackle the issue.

John Mason (Glasgow Shettleston) (SNP): As well as animal welfare being affected by the

continuity bill, it could be affected by the United Kingdom Internal Market Bill. Has the cabinet secretary had any assurance or any engagement with the UK Government that it will not drive down standards on animal welfare?

Michael Russell: The Scottish Government has received no assurances that the UK Internal Market Bill will not have a regressive impact on such standards. Of course, the UK Government's general position is that standards will be maintained, but I think that we are entitled to be sceptical until we see evidence of that.

The Scottish Government is clear—this is backed up by the views of stakeholders across Scotland—that the correct and proportionate means of dealing with policy differences across UK nations after leaving the EU is through the common frameworks process, on which, despite our strong differences over EU exit, we have made significant progress. That includes an animal health and welfare framework. The UK Internal Market Bill actually undermines and threatens that programme of work.

Dean Lockhart (Mid Scotland and Fife) (Con): At the Finance and Constitution Committee, the Law Society of Scotland, the Faculty of Advocates and NFU Scotland all expressed concerns about the inadequate level of parliamentary scrutiny and stakeholder consultation that are set out in the UK Withdrawal from the European Union (Continuity) (Scotland) Bill. All those provisions are significantly lower than the equivalent provisions that were agreed to at stage 3 of the previous continuity bill. Why did the cabinet secretary ignore the will of Parliament as expressed at stage 3 on the previous continuity bill and attempt this blatant power grab in the current bill?

Michael Russell: I am always amazed by the look of satisfaction that Conservative members have when they ask such questions—it is as if they have found the holy grail of questioning. They have actually opened up their own inadequacies.

Let me just point out to Mr Lockhart as kindly as I can—although I do not feel particularly kind, after the experience that Scotland has been through and is still going through on Brexit—that, on the issue of consultation, he should examine what the UK Tory Government has done on the UK Internal Market Bill. Then, to quote a former leader of the Labour Party, “a period of silence” would be in order.

The Deputy Presiding Officer: I call Christine Grahame to ask question 3.

We will come back to question 3 in a moment. In the meantime, I move to question 4.

Scottish Parliament (2021 Election)

4. **Johann Lamont (Glasgow) (Lab):** To ask the Scottish Government what contingency work it is carrying out to prepare for the 2021 Scottish Parliament election should Covid-19 restrictions remain in place. (S5O-04772)

The Minister for Parliamentary Business and Veterans (Graeme Dey): The Scottish General Election (Coronavirus) Bill, which was introduced on Monday 16 November, sets out measures to help to ensure that the Scottish general election next May can take place fairly and safely. It also sets out a number of contingency measures in the highly unlikely event that the election has to be deferred.

The bill has been prepared in partnership with the Electoral Management Board for Scotland, the Electoral Commission, the Scottish Parliament and the other political parties represented in the chamber. Parliament will be asked to scrutinise the bill on an accelerated timetable in order to provide surety to voters, candidates, campaigners and electoral professionals. That process began this morning.

Johann Lamont: I am aware that the bill gives ministers the power to hold an all-postal-vote election. The Minister for Parliamentary Business and Veterans stated earlier in the year that the Scottish Government had yet to carry out a feasibility study into conducting the Holyrood election exclusively by postal ballot.

Recent postal ballot voter-registration rates that have been published by National Records of Scotland indicate that only 16.9 per cent of the electorate is signed up for postal voting, with one seat in Glasgow having a sign-up rate as low as 12.2 per cent. Will the minister outline what work is being undertaken to encourage postal vote sign-up, because that is an important issue of access to democracy? What feasibility work has the Government carried out on an postal-vote-only election?

Graeme Dey: The current level of postal-vote uptake is about 18 per cent. The Government is working closely with the Electoral Commission and the Electoral Management Board for Scotland to develop and build on that, because our having an enhanced postal-vote element will be extremely helpful.

We have put in place additional resources, which we believe have the potential to increase the postal vote to about 40 per cent. I should say to the member that it would be highly unlikely for an all-postal ballot to be necessary; the measure is about providing an enhanced element in relation to the election.

Richard Lyle (Uddingston and Bellshill) (SNP): Does the minister agree that the priority must be to ensure that next year's Scottish Parliament election can take place fairly and safely? Can he provide further information on the steps that have been taken to develop the bill in partnership with political parties and relevant stakeholders?

Graeme Dey: The process has been very much a collaborative one. I commend the participants from other parties for the positive way in which they have embraced it. I advise Mr Lyle that considerable work is being done to develop the content of the bill and to achieve consensus on it.

As for the safety and security aspects, those are being driven by electoral professionals, to whom we are listening. They are conducting a review of polling places to determine what procedures would need to be in place—not only to allow the election to be conducted safely, but to give people confidence that that will be the case. For example, we do not want there to be queues at particular times of the day.

It is, therefore, a partnership-driven approach, with electoral professionals providing advice and evidence on the practical side, and the Parliament being here to deliver the powers that might be required to allow them to get on and do their job.

The Deputy Presiding Officer: We now come back to question 3.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Thank you, Presiding Officer. I thought that my question had been nullified, because my temporary card was not working either for a bit.

United States Presidency

3. **Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** To ask the Scottish Government what difference it anticipates Joe Biden taking over the presidency from Donald Trump will make to its relationship with the United States and Europe. (S5O-04771)

The Minister for Europe and International Development (Jenny Gilruth): The relationship between the USA and Scotland is strong and enduring. Indeed, Scotland has a well-established diaspora community in the US, with some 30 million Americans identifying as having Scottish heritage.

Our countries have a bright future, working together with President-elect Biden and the first woman Vice President-elect, Kamala Harris. Many of our policies, including our support for fairness, equality and a strong rules-based international system, closely align with those set out by the new

Administration during the recent election campaign.

Christine Grahame: Is the minister optimistic that, with the change of presidency—that is, once Mr Trump takes a tumble to himself—relations between Scotland and the USA will benefit? With President-elect Joe Biden being a self-proclaimed Europhile, we have an ally in our continued support for the value of membership of the European Union.

Jenny Gilruth: The Scottish Government welcomes President-elect Biden's comments on Europe—in particular, his emphasis on the value of the United Kingdom maintaining a close relationship with Europe and the necessity of abiding by the principles of the Good Friday agreement. We look forward to working with the new Administration when it is sworn in in January, and we welcome the opportunity to work with it on issues such as Europe, free trade agreements and climate change.

Independence Referendum

5. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government on what basis the constitution secretary stated that an independence referendum would take place in 2021. (S5O-04773)

The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell): On the basis of ambition and democracy.

Murdo Fraser: We are, of course, in the middle of the biggest health crisis that any of us has experienced in our lifetime, which is rapidly turning into an economic catastrophe. The First Minister has made it clear that all her energies are focused on those vital issues. We have also just heard that the Scottish Parliament election, which is due in May, could be deferred as a result. How can the constitution secretary possibly defend diverting the resources of the Government into another divisive referendum at such a difficult time?

Michael Russell: With respect, the member did not hear that we were discussing the postponement of the Scottish Parliament election—that is inaccurate. I am sure that that problem resulted from our having to communicate electronically rather than from any attempt to misrepresent what my colleague said.

I will answer Mr Fraser's question in two parts. The first is to say that, of course, we are solidly focused on the pandemic. However, we must also consider how we might rebuild. The results of today's poll on how Governments are trusted indicate that the people of Scotland would trust the Scottish Government to rebuild far more than they would trust the United Kingdom Government to do so. Therefore, getting independence as soon as

we can, in order to rebuild—and to rebuild better—would be our priority.

Let me also say something about priorities. The very small number of people who, at some stage, will be engaged in putting together a bill on the proposed referendum would be minuscule compared with the estimated 25,000 civil servants who have been working on Brexit at a cost of more than £200 billion so far. To be honest, Presiding Officer, a person would need some brass neck to compare those two things.

Kenneth Gibson (Cunninghame North) (SNP): Of course, for Murdo Fraser, the time will never be right. The Tory UK Government continues to stand in the way of Scotland's people having a say through an independence referendum that takes into account the new post-Brexit landscape. Does the cabinet secretary agree that decisions on Scotland's future should be made by the people who live in Scotland and that the UK Government's position is both undemocratic and unsustainable?

Michael Russell: Just as I indicated to Mr Fraser in response to his question that the basis for an independence referendum taking place in 2021 was ambition and democracy, I entirely agree that the basis of the UK Government's objection is a lack of democracy and a refusal to listen to the ambition of the Scottish people.

Neil Findlay (Lothian) (Lab): I am pleased to hear the would-be President's commitment to democracy. I am sure that that commitment comes before his nationalism. However, for the purpose of this question, can we put aside the timing of any referendum and indeed the detail and, instead, can I raise the issue of principle? Does the cabinet secretary believe, as a democrat, that allowing voters choice by widening the options in any potential referendum is both democratic and indeed desirable?

Michael Russell: I notice that Mr Findlay is debating within his own party the issue of the referendum and I am pleased that he comes to the chamber to debate it as well. Let me draw the member's attention to the Venice commission, which looked specifically at referenda and recommended that there should be a clear choice, which can be encompassed by answering yes or no.

However, I am delighted that, in one wing of the Labour Party—of course, there are many wings in the Labour Party, far more wings than the average bird has—there is a recognition that democracy should prevail.

I say to Mr Findlay that we cannot qualify democracy by timescale—either democracy prevails or it does not, so join in and support a referendum now.

Road Haulage and Logistics Sector (Impact of Brexit)

6. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government what the impact of Brexit will be on the road haulage and logistics sector. (S5O-04774)

The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell): The impact of Brexit on the road haulage and logistics sector will be considerable and damaging. The expected delays and consequent costs that it will bring will impact greatly across a sector that is made up of small and medium-sized enterprises. There will be particular issues for those companies in Scotland that are involved in the transportation of fresh and live produce to the continent.

The Cabinet Secretary for Transport, Infrastructure and Connectivity recently met the Road Haulage Association, which also gave evidence to one of the Parliament committees recently. Its primary concern is about delays to the movement of goods at border crossings. That will be exacerbated by an inadequate number of properly trained customs agents and the delay in developing an information technology system to manage the documentation process. There is also concern regarding the potential for an insufficient number of permits to be made available to United Kingdom hauliers and the lack of progress on bilateral agreements with European Union member states that would enable those businesses to continue to work. Those concerns are compounded by the absolute lack of clear information being made available to this and other sectors.

Kenneth Gibson: A “shambles”, “incomprehensible”, “nonsense” from the start, “sleepwalking to disaster” and “bonkers” are just some of the comments made at a recent Culture, Tourism, Europe and External Affairs Committee meeting by Rod McKenzie, the managing director of policy and public affairs for the Road Haulage Association, who was describing the UK Tory Government’s chaotic handling of arrangements for logistics and road haulage once Brexit transition ends. Given the critical importance of the sector, which employs 2.54 million people in the UK and on which we all depend for goods and services, the abject incompetence of the UK Tory Government and the likely interruption of supply from January, what assistance can the Scottish Government provide to this key sector in the weeks and months ahead?

Michael Russell: It is hard to disagree with the views of Mr McKenzie. I think that it is only the Conservative Party that appears to be unwilling to listen to the views of those who are actually doing the job. The Scottish Government is working with the industry’s trade associations to encourage

their members to seek out what information is available.

The Scottish transport and logistics intelligence group has been reintroduced. Its members include representatives from all modes of freight transport. It will be a vehicle—that is not a pun—for sharing information and developments in planning between Government and transport operators, ports and airports on issues and risks. My colleague the Cabinet Secretary for Transport, Infrastructure and Connectivity has also recently written to Grant Shapps to highlight concerns and to seek assurances that everything possible will be done to minimise disruption to businesses, but alas we have no evidence that that is what will take place.

Chancellor of the Duchy of Lancaster (Discussions)

8. Linda Fabiani (East Kilbride) (SNP): To ask the Scottish Government when it last spoke with the office of the Chancellor of the Duchy of Lancaster in relation to European Union/United Kingdom future relationship negotiations. (S5O-04776)

The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell): The last meeting of the joint ministerial committee (European Union negotiations) took place on 29 October, at which the Chancellor of the Duchy of Lancaster and I were present. I also attended an EU exit operations—XO—committee preparedness meeting on 16 November, which was chaired by the Chancellor of the Duchy of Lancaster.

Linda Fabiani: I am glad that there are meetings about preparedness because, with the end of the transition period looming, businesses in my constituency of East Kilbride and beyond that import and export both goods and expertise feel that they have been left in the dark with no time at all to prepare for the forthcoming end of the transition period. Can the cabinet secretary offer those businesses any comfort at all?

Michael Russell: I would like to be able to offer them the comfort that many of them voted for, which was not to have Brexit but, alas, that is not where we are.

The Scottish Government is doing everything that it can to mitigate the effects but, as I have said regularly, we cannot do everything. This morning, I outlined to the Culture, Tourism, Europe and External Affairs Committee a range of actions that the Scottish Government is taking, and I am happy to write to the member to set those out. For example, the multi-agency prepare for Brexit website, which is hosted by Scottish Enterprise, provides advice, access to sources of financial

support and online assessment. Scottish Enterprise is now proactively targeting high-value traders to offer support, and we are introducing a customs academy that will provide additional support to companies that export.

All those things are happening, and there is a great deal of work in the Scottish Government that is focused on the concurrent winter pressures. There is the continuing pressure of Covid, the pressure of Brexit—the transition period should have been longer, but the UK Tories rejected that—and of course the inevitable normal winter pressures. None of us should be in any doubt that we face a very serious situation, and we should all be encouraging companies to seek information. We know from talking to companies that, because they have been focused heavily on the pandemic, there are huge problems ahead.

Covid Vaccine

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a statement by Jeane Freeman on a Covid vaccine. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:23

The Cabinet Secretary for Health and Sport (Jeane Freeman): I am grateful for the opportunity to set out our current plans to deliver a programme of Covid-19 vaccination to everyone in Scotland who is over 18. As I will cover shortly, there remain some key areas where we have still to receive or confirm information, and I will continue to update members as information becomes available and our plan develops.

Last week, we all had the good news from Pfizer, and this week we had more good news from Moderna, as they both announced over 90 per cent effectiveness in phase 3 clinical trials of their vaccines. Those are just two of 12 vaccines that are undergoing phase 3 trials worldwide, including three involving clinical trials here in Scotland. Pfizer and Moderna will now share evidence from their trials with the regulatory and advisory bodies to allow clinical and scientific review, with advice then to each United Kingdom health department to determine on safety and effectiveness.

That is a critical point. I want to be clear to members and to people around Scotland that the safety of the Covid-19 vaccine is paramount to us. The global scientific, research and pharmaceutical communities have come together and worked as never before. We have seen unprecedented investment worldwide in research, development and manufacture, volunteers around the world—including here in Scotland—taking part in clinical trials, and driven and dedicated research teams. That is why we are seeing the front-running vaccines delivered in months, rather than in the many years that vaccine development can sometimes take. It is impressive, but it is not at the expense of safety.

Each vaccine goes through a rigorous and independent three-phase testing process long before it can be licensed as safe and effective for use. Regulators such as the European Medicines Agency and the UK's Medicines and Healthcare products Regulatory Agency review trial results and decide whether to approve the vaccine. During a pandemic, the timeframes can be compressed, but never at the expense of safety.

Vaccinating the adult population—everyone aged over 18—in Scotland means vaccinating 4.4

million people. We have, rightly, worked across the four nations to secure the vaccines and secure agreement on the population share of the purchased doses for each of the UK nations.

From December, we expect to have the first delivery of vaccines to Scotland. We are planning on the basis both that the Joint Committee on Vaccination and Immunisation is able to review the clinical evidence and provide Governments with a recommendation, and that the vaccine receives a licence.

As I said, we are hopeful that, over the coming weeks into 2021, we will have more than one vaccine available to us, so that we can, with minimum delay, vaccinate as many people as possible as quickly as possible. However, I must be clear that there are a number of challenges and, at this point, unknowns to our delivery programme, which we hope will take from December to spring next year to complete in full.

The first of the unknowns is obviously the start date. We are ready for December, but the first available vaccine has yet to be approved, and supplies have yet to arrive. Thereafter, we need more vaccines to become available and we need to understand the delivery schedule for each.

The Pfizer vaccine has specific requirements in terms of transportation, storage and accessibility for use in certain settings. Other vaccines will have their own requirements, which might be similar to those of the Pfizer vaccine or might be different. It will be important to understand the differences to inform clinical advice about deployment. Our national plan has to be able to adapt to accommodate different requirements.

A vaccine must be used in a way that ensures that those who are most in need of protection receive that protection first, so our planning will be informed by the independent scientific and clinical advice of the Joint Committee on Vaccination and Immunisation. The JCVI has already offered interim advice on prioritisation, which we have used in our planning for the early but limited vaccine supply that we expect to receive.

In the first wave of our plan, from December through to February, we will vaccinate front-line health and social care staff; older residents in care homes and care home staff; all those aged 80 and over; unpaid carers and personal assistants; and those who will be delivering the vaccination programme. The current interim advice from the JCVI is that we then work through those aged over 65 and those aged under 65 who are at additional clinical risk, followed by the wider population.

This is a national vaccination programme that sets out clearly the parameters within which our national health service boards will lead local delivery. Nationally, we will set out the policy

direction and the delivery framework, accompanied by guidance and information for those at the front line. We will develop and deploy a national workforce model; provide national training; undertake procurement and logistics work; provide national information and advice; create tools to record data about vaccinations, so that they are on people's medical records; and, from phase 2, provide a national booking service.

National health service boards will then lead local delivery, identifying acceptable and accessible locations both for mass vaccination and for local access, taking population and geography into account. They will undertake recruitment and deployment of staff and the management of local vaccination clinics.

Over the coming weeks and months, we will be sending information to everyone across Scotland explaining what the vaccine is, how we are prioritising who gets it, what to expect when vaccinated and so on. Those in the first wave of the programme will be contacted during December and January either by mail or, for health and social care workers, by their employer. They will be told where they will receive their vaccine, how to make an appointment and what they need to know.

In truth, the programme is a major public service exercise. We need the expertise and resources that our local authorities, community planning partnerships and the third sector can bring, and we need locations—both fixed and mobile—so that we can make the mass vaccination programme as accessible as possible wherever someone lives in Scotland and whatever their circumstances.

We need a workforce that is diverse in its skills and availability. Our planning assumption is that we will need over 2,000 vaccinators and support staff by the end of January, so that—vaccine availability and delivery schedules yet to be confirmed—we will be able to vaccinate around 1 million people by that time.

We need registered clinicians to vaccinate and to supervise vaccinations, as well as nurses and doctors, but also the wider clinical workforce such as pharmacists, dentists and optometrists. We have now concluded an agreement with the British Medical Association on terms and conditions for general practitioners' involvement in the programme and are working through agreements with other independent NHS contractors.

However, we also need a workforce that understands the importance of logistics, minute planning for delivery, location set-up and building, and Covid-safe locations, as well as the importance of data collection and performance management. Scotland has an excellent track record on vaccinations, but this will be one of the

biggest civilian logistical challenges in our lifetime, so we have strengthened our NHS planning teams, engaging with local authorities, local resilience partnerships and the military.

We know from the beginning of the pandemic, when the military assisted in the delivery of NHS Louisa Jordan and the deployment of testing sites, that they bring real value to supporting our efforts. With so many vaccines in phase 3 clinical trials, there is the potential for multiple vaccines to be available over the next 12 months and it is possible that those will have different characteristics that impact on how they are stored, handled and delivered. That requires real logistical expertise from one organisation that can cover the whole country, so I am grateful that the military have responded once again and stand ready to bolster our planning, bringing with them a wealth of logistical and operational expertise.

It is important to be clear about what we do not yet know. We do not know which vaccines will be approved for use and when doses of those vaccines will reach us. We do not yet have information about all the vaccine characteristics; for instance, we do not yet know whether the Pfizer vaccine will be approved for transportation beyond the ultra-cold temperature that is currently being used, in order to allow us to vaccinate in multiple smaller locations such as GP practices and care homes. Although we have some welcome news on the efficacy of the Pfizer vaccine from the trials, we do not know whether it will stop a person from getting the virus, from passing it on or will prevent the virus from causing serious harm.

It may take many months before we fully understand the level of protection on transmission and the impact on reducing the severity of the illness that is caused by the virus. We know that the first vaccines will require two doses, three to four weeks apart. It is possible that further booster doses, and even an annual programme, may be required, given that we do not know how long any protection will last. For now, the important thing is that, when we start to deliver the first vaccines, it will be on the basis that they offer some form of protection, even if we do not know at this stage how much protection that is.

It will be safe, so when we get in touch, please go for the vaccine. It offers you a level of protection that we do not have through any other means. If you are not in the first group that is called, you should please be patient. I know that you will understand how important it is that we protect first those who are most vulnerable to serious illness and death.

A safe and effective vaccine brings hope. It gives us all encouragement that where we are now will end. However, right now, we all have to

keep following the necessary restrictions, tough though I know they are, and keep washing our hands, wearing face coverings and keeping a 2m distance. That is how we protect ourselves, our loved ones and our NHS, while science brings us hope.

The Deputy Presiding Officer: The cabinet secretary will take questions on the issues raised in her statement. I will allow around 20 minutes for that. Members who wish to ask a question should press their request-to-speak button.

Donald Cameron (Highlands and Islands) (Con): I thank the cabinet secretary for advance sight of her statement.

The recent news that various vaccines are proving effective during clinical trials is very welcome, as is news that the UK Government has now added some 355 million doses from seven different developers, which is more per head than almost any other country. Given that problems are being encountered with this year's flu vaccinations, it is understandable that there is concern about how the Government will manage the roll-out of a Covid-19 vaccination programme in such a way that the public have full confidence in it.

With that in mind, I find that the statement lacks many details on the practical aspects of delivering a vaccine. Further clarity would be welcome on the exact make-up of the dedicated workforce and how the Government will address issues with delivering vaccines to, for example, care homes that are in higher tiers.

Will the cabinet secretary confirm how Covid-19 vaccines will be delivered to the public, taking into account Scotland's unique geography of high-density urban areas and sparsely populated rural areas? Can she confirm how vaccines will be safely transported to delivery points once they are in the possession of health boards?

Jeane Freeman: I am grateful to Mr Cameron for his questions. I am sure that, having listened to the statement, he understands that there are some parts of his questions that I cannot confirm.

I cannot confirm the details of transportation because, for example, with regard to the first vaccine that has come successfully through stage 3 trials and is now being considered by the regulatory bodies, we do not know all of its components, which will determine the nature of transportation and the vaccine's stability through that. That is part of what I meant when I talked about "unknowns".

That information is coming through to us on a regular basis. My officials are involved in all those discussions at the UK level, including those with the Joint Committee on Vaccines and

Immunisation. Later today there will be another four-nations health ministers call in which all of us—because we are all grappling with the same unknowns—will work through how much more we know at this point. That is why I have committed today to updating members on that information regularly.

That applies to answering Donald Cameron's question about exactly how we will deliver the vaccine in care homes. We intend to take the vaccine to care homes and to vaccinate in each care home both the staff and the residents. Necessary elements of doing that are being dealt with, such as gaining appropriate permissions from people to be vaccinated. However, we need to know the properties of the vaccine, the packaging that it will come to us in and whether we can transport it. For example, can we transport the Pfizer vaccine from its very-low-temperature storage facility to individual care homes? If we can, given the package sizes, do we need more than the 22 commercial storage freezers that we currently have? Do we need those in smaller sizes in more locations around the country?

Our outline plan has options relating to such unknown elements, but we cannot firm up those options until we have detail on the exact properties of each of the vaccines that come through successfully.

My final point about delivery is that our boards are doing two things. They are using some of the existing flu infrastructure, in the larger walk-through and drive-through flu vaccination centres. Those are more appropriate for urban areas and for certain cohorts of our population.

We will also use mobile vaccination units. We will use more local high street vaccination centres, which is where our partnerships with local authorities will come into their own. We will make sure that the vaccination programme is accessible to people the length and breadth of Scotland, taking account of the geography and circumstances in which people do not have private transport or their age means that they have mobility issues.

The final point that I want to make is that, depending on the vaccine's properties, we will look to use the health service resource to vaccinate some people at home because it will be easier for them to receive the vaccine in those circumstances.

Monica Lennon (Central Scotland) (Lab): From the cabinet secretary's statement, it is clear that the workforce will be crucial to the success and speed of the vaccination programme. With that in mind, I have a few questions; the cabinet secretary might have to follow up some of the answers in writing for brevity's sake.

When the first delivery of vaccines arrives in Scotland, how soon after that does the cabinet secretary expect the first vaccinations to be administered? Of the 2,000 vaccinators and support staff that will be needed by the end of January, what proportion will be vaccinators? Will there be any additional recruitment? Will non-registered clinicians receive training to become vaccinators?

The cabinet secretary also mentioned the role that general practitioners will play, which is clearly welcome. What additional support will be in place to ensure that GPs will continue to be able to do their day jobs and see patients on a timely basis?

Jeane Freeman: There are a lot of questions there, as Ms Lennon rightly said. I will write to Ms Lennon on some of those, as I will to other members, because there is a lot of detail.

We are ready. We hope that we will receive the first of the 320,000 doses that we expect in December in the first week of December, and we will be ready to begin the vaccination programme in that week.

National training is under way. We are already deploying some of the cohort of our flu vaccinators to this work because the flu programme is well under way. Some will deploy over and the rest will be deployed further once the flu programme is completed.

We are recruiting, but our clinical expertise extends beyond the medical and nursing professions into dentistry, optometry, and pharmacy. We have already had positive discussions with those professions about their members wanting to be part of this national exercise, and looking at the shifts that they can sign up for—we do not expect this to be a nine-to-five operation or a Monday-to-Friday operation—so that they can continue to deliver their core service and undertake vaccinations in addition. That is why we are in discussions about terms and conditions for that extra work.

The armed forces will do a great deal of the logistical work but, again, our partnership with local authorities and local resilience partners will help us to identify locations and to ensure that they are Covid-safe. Our national procurement service on personal protective equipment will ensure delivery of the right level of PPE to all locations, and that the mobile units carry it with them.

The Deputy Presiding Officer: We move to open questions. I allowed a bit of extra time for the opening questions because of the subject matter, but I ask everyone else to be succinct with their questions, and, as far as possible, with their answers.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Parts of the Maryhill and Springburn constituency have had lower uptake of the flu vaccine historically, although I know that it has been stronger this year. Will the cabinet secretary ensure that NHS Greater Glasgow and Clyde works to deliver an uptake of any new Covid-19 vaccine that is high in all parts of Glasgow, as we want it to be right across Scotland?

Jeane Freeman: Yes, I will. I will just make one quick point. Those mobile units and local high street centres that we have talked about are to be used precisely so that we can reach people who we have not been able to reach in the past.

Brian Whittle (South Scotland) (Con): In a call last week, the cabinet secretary and I discussed the practicalities of delivering a population-wide vaccine. I know that she recognises the need to ensure that the public understand the realities of the vaccination process. What consideration has the cabinet secretary and her team given to the impact of restrictions on the programme for those awaiting their turn for vaccination when others have already been vaccinated?

Jeane Freeman: I assume that Mr Whittle is talking about the strategic framework level of restrictions. In the first wave, we would ideally like to deliver the vaccine to those individuals who are 80 and over and not in residential care, in their own homes. That is partly to take account of any mobility issues that they might have, but also to ensure that it is as safe as we can possibly make it. That depends on the properties of the vaccine and the degree to which it is stable if it is moved any distance at all. We will know that very shortly. All that work is happening at pace, not just here in the Scottish Government and with our partners, but in the JCVI, the regulators and companies such as Pfizer and others, who are producing the information as quickly as they can so that we know what the delivery schedule will be.

Elsewhere, we are trying to ensure that we have what I am calling “high street locations”, so that people do not have to travel far in order to receive the vaccine. The location will be Covid-safe in the way in which it is organised and people move through it, the timetabling of their appointments and all the other measures, including PPE and hand sanitisers. We have seen our health boards deliver that in the flu vaccination programme.

Stuart McMillan (Greenock and Inverclyde) (SNP): The cabinet secretary touched on the issue of public locations. Local authorities own and run many community centres and sports centres. In some areas, particularly in Greenock and Inverclyde, the utilisation of such venues will be extremely important and useful, particularly for the older members of the community who are often

spread out, but also for those areas in which there are pockets of the population where there are many older people.

Jeane Freeman: Those are precisely the kind of discussions that we are having to enable us to access those locations in partnership with local authorities.

Neil Findlay (Lothian) (Lab): Last night, I was contacted by home care staff, a community nurse and two ward staff members, all of whom are in contact with Covid patients and all of whom told me that they had not been tested, eight months down the line—not even once. Given that shameful situation, what confidence can they have that they will be near the front of the queue when the vaccine comes? What is meant by front-line health and social care staff? Those people do not appear to be regarded as front-line staff just now. Finally, will designated family members be vaccinated to ensure that they can visit care homes?

Jeane Freeman: As I have just set out, front-line care staff—and by front-line, I mean patient-facing NHS and social care staff, including social care staff who work in care homes and home care staff—will be in that very first wave. Over December and January, they will be offered the opportunity to be vaccinated. As the member knows, I will set out in the Parliament next week the plans for the roll-out of routine asymptomatic testing.

On designated visitors, the JCVI information and advice is that we should work through age cohorts. The only sectoral exemption to that is NHS and social care staff. We have extended that definition ourselves to take account of unpaid carers and personal assistants. However, the JCVI has said that the clinical evidence is crystal clear that we must work through the age cohorts because they are the most vulnerable to serious harm from the virus, including death. That is the basis on which we will deliver the vaccine.

Mark Ruskell (Mid Scotland and Fife) (Green): The statement is very welcome and shows that there is light at the end of the tunnel, but there is still a huge amount of work to be done to get there.

I want to ask about the extended flu vaccine programme, with which there were major logistical problems in some health board areas, including NHS Fife. What has the Government learned from that experience? Is there a case for specific support to individual health boards that may struggle with capacity and other problems?

Jeane Freeman: We have learned at least two lessons, and we are now implementing them. The first is the importance of a national plan. It is delivered locally, but that is very different from

having 14 territorial health plans. The national plan is clear and sets out the parameters within which a health board has to organise its local delivery—it should have the widest possible range of delivery locations and it should think about the kind of staff that it needs to recruit and how it will support and train those staff using the national training programme.

The two main lessons that we have learned are the importance of a national plan, coupled with local delivery because local boards know the geography much better at their level, and the importance of maximising the number of locations, including mobile locations, where people can be vaccinated.

The large mass vaccination centres work well, but only for a particular cohort of the population. For the population group that we need to get to first, mass vaccination centres are not the right places. We need to do things differently, which includes vaccinating people at home, provided that the vaccine's properties allow us to transport it in small doses.

Alex Cole-Hamilton (Edinburgh Western) (LD): The cabinet secretary's statement is very welcome and offers much-needed hope. However, although the statement was 1,700 words long, only four of those words covered the national booking service that will administer delivery to everyone from phase 2. That will be utterly crucial in the delivery of the vaccine. I would like some additional detail on that service. First, will it be automated or staffed? Secondly, is it ready to go or is it still to be designed?

Jeane Freeman: Mr Cole-Hamilton should never judge the amount of work that we are doing on the basis of the number of words that I use.

As I said, the national booking service will be ready from phase 2, which kicks in at the end of February and takes us through another couple of months thereafter. The service has been designed, but the detail of it is not yet finalised, because it is for phase 2.

I will undertake to ensure that every member knows the detail of what that national booking service is, including whether it is automated, how people can get advice, what someone should do if they get an appointment time that they cannot make and so on, and how that connects up with the local delivery areas. I will do that as soon as all the details are finalised.

Annabelle Ewing (Cowdenbeath) (SNP): I too very much welcome the news about the vaccine, as will all my constituents in Cowdenbeath. Can the cabinet secretary advise what the current thinking is, and what we know at this point, about how the information will be disseminated in Fife so that people know what is to happen and when?

Can she confirm that those in my Cowdenbeath constituency and elsewhere in Fife who may struggle to get to a central location from their village or town will be able to get the vaccine where they live, and that that will be an automatic entitlement rather than something that involves people having to get into a big argument and harangue?

Jeane Freeman: With regard to information, we will—as I said in my statement—write to those in the first cohort over the coming weeks to ensure that they know what the arrangements will be for them. We will write to those individuals either directly or, in the case of health and social care staff, through their employer.

Thereafter, we currently have in train the planning for, and content of, a national door drop that will provide every household in Scotland with detailed information on the vaccines, their safety, how we are going to deliver them, what to expect and so on.

In addition, I will write to every member of the Parliament with the same level of detail that I gave on the flu vaccine programme so that they know about both the national and local arrangements and have a named local contact to whom they can go to directly as an MSP with individual constituent inquiries. Of course, members can always come to me with such inquiries too.

On local access, we are putting in place every possible step that we can so as to minimise any travel that anyone has to undertake in order to be vaccinated. In some instances, that may not be possible in a particular village, for example—and I am thinking of my own constituency here. It may be really difficult for people to travel to the village next door or the nearest town. We are therefore deploying that huge clinical workforce so that, in some cases, we can deliver the vaccine directly to someone in their own home. As I have said many times, however, that is dependent on the properties of the vaccine and on how stable it is the more it is transported.

The Deputy Presiding Officer: I am going to let these questions run on for a little while.

Jamie Halcro Johnston (Highlands and Islands) (Con): The cabinet secretary will be aware of particular issues facing remote and rural areas of the Highlands and Islands and of the additional challenges that many communities already face in delivering a winter flu programme. Can she comment on what planning is under way to support the roll-out of a Covid vaccine in our rural and island communities? That will be vital in ensuring that as many people as possible have access to vaccination and that no one is left out.

Jeane Freeman: Mr Halcro Johnston is very right. My own constituency is largely rural and, for

many people, particularly in the most southern and eastern parts of that constituency, local towns are not as accessible as people might think they are.

Discussions are under way in individual health boards about what makes most sense in their areas. How many mobile vaccination units do they need? Where are we using local authority property and facilities—large or small? How are we working with the third sector, and indeed with faith groups, which may also have locations that we can rent and turn into Covid-safe vaccination centres for small numbers of people? All of that consideration is under way.

For some parts of our country, mobile units will be more effective than that. That may be the case in some of our island communities; for other areas, it will be a matter of using local community centres, church halls or other properties, including local authority sport and leisure facilities, which we can access and make use of.

It does not involve GP surgeries so much because, as was covered in Ms Lennon's question, we want to ensure that they can continue to deliver healthcare. There are possibilities for clustering with some of that.

Every individual health board is in discussions with the national team to consider what they are doing individually and what makes sense, and I can assure the member that I look across all those 14 local plans to ensure that they are as comprehensive and assured as I need them to be.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): As the cabinet secretary has recognised, the very welcome roll-out of a Covid vaccine will present logistical challenges, especially given that one of the more likely vaccines needs to be stored at -70°C . Can the cabinet secretary confirm that some thought will be given to the needs of island communities in case storage requirements of that kind apply, and can she explain how patient transport to centres will be organised in areas with very scattered populations?

Jeane Freeman: We are giving that a lot of consideration. The matter is particularly relevant to island and other communities in and around Scotland. There are many such comparable considerations north and south of the central belt. The Pfizer vaccine does indeed need to be stored at the temperature that Mr Allan mentioned. As yet, the number of what are called transportation steps before it absolutely has to be used is to be confirmed. The vaccine cannot be moved around any more than that.

That has implications for where it is taken to be distributed from in the first instance. We have 22 commercial-sized freezers that will be deposited around the country. We are considering whether we need more of them or more of the same

standard of commercial freezer but smaller, which we might need to take to other parts of Scotland to ensure that we can distribute the vaccine as widely as possible before we get to the point at which we actually have to use it. That is about reducing waste of the vaccine and maximising the amount that we can use to vaccinate individuals.

If members have particular knowledge about their constituency areas, I would welcome hearing it from them. Dr Allan has done that very helpfully for me in the past, in pointing out the nature of the Western Isles community and telling me things that I, as someone who does not live there, would not immediately understand. I would welcome any particular constituency information to which any member wants us to pay attention.

Rhoda Grant (Highlands and Islands) (Lab): The cabinet secretary will be aware that many of my constituents cannot access Covid-19 testing because of where they live. Will she reassure them that they will receive the vaccine regardless of where they live? As she is not planning to use GPs, and as some of those people will need to be vaccinated at home, they must be reassured that they will not be left behind.

Jeane Freeman: I apologise to Ms Grant if she has picked me up wrongly. I will be using GPs, although it is entirely for GPs to volunteer, as it will be for pharmacists, dentists and others.

GPs, practice nurses and other clinical staff in GP practices are welcome to be involved in the programme. We have reached an agreement with the British Medical Association on financial reimbursement for them. GPs might well be involved in Ms Grant's area, as might district nurses, family nurse practitioners, local pharmacists and so on.

I assure members that we will do all that we can to ensure that every Scottish citizen who is eligible for the vaccine—all adults over 18—can access it and can be vaccinated, whether we take the vaccine to their home or to one of the many locations that we are looking to set up with our partners in local authorities and others. There will also be mobile units, which might be particularly relevant to Highlands and Islands communities.

Ms Grant will know that additional local testing centres are about to be set up in the Highlands. I hope those will assist her constituents to access testing.

Shona Robison (Dundee City East) (SNP): Will the cabinet secretary provide an update on the phase 3 Covid-19 clinical trial that is currently under way across NHS Tayside? How will that inform national roll-out of a vaccine when one is available? Will the national door-drop information be available in an easily accessible format for people who have additional support needs?

Jeane Freeman: I apologise to Ms Robison, because I do not have the detail of the Tayside trial with me. I am happy to send that to her later.

The national door-drop information will be available in a number of languages, as is usual with our communications. We will pay close attention to other forms of communication to ensure that all our citizens have, understand and can make use of the information that we provide, either through the national door drop or the many other channels that we will use.

The Deputy Presiding Officer: That concludes questions on the statement about the Covid vaccine. I remind members about the social distancing measures that are in place as they enter and leave the chamber

Youth Football

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a Public Petitions Committee debate on motion S5M-23316, in the name of Johann Lamont, on improving youth football in Scotland. I ask those who wish to speak to press their request-to-speak buttons now.

Gail Ross joins us remotely to speak on behalf of the Public Petitions Committee.

15:04

Gail Ross (Caithness, Sutherland and Ross) (SNP): It is an honour to open this debate on behalf of the Public Petitions Committee in my role as deputy convener. The debate is rather timely, with Scottish football at the forefront of many of our minds. The success of our national team and the joy and pride that it has brought us all highlight just how important a role football plays in our society.

The debate follows the publication of the committee's report on the petition, "PE1319: Improving youth football in Scotland", which draws on more than 10 years' worth of evidence that the committee has gathered. The scale of the evidence that was received across three sessions of Parliament is a stark reminder that it is the longest-running petition that the Public Petitions Committee is currently considering. I thank everyone who gave evidence and our clerks for a thorough report.

Fundamentally, the issues that the petition raises are about the protection of children and young people in professional youth football. I take no pleasure in reminding Parliament of the petition's record. Just over three years ago, the convener of the committee, Johann Lamont, led a debate on youth football, highlighting the committee's serious concerns about the registration period for players in the 15 to 17 age group, the payment of compensation and the appropriate payment of the minimum wage to young players.

Although our report highlights some progress in the system, I am disappointed to say that, three years on, there remain significant and systemic issues that have the overall effect of weighting the system too far in favour of the professional clubs. Without a doubt, that leaves children and young people involved in youth football disadvantaged in terms of the choices that they wish to make.

Those views echo the views of the former Commissioner for Children and Young People in Scotland. During his time in office, Mr Baillie undertook a substantial amount of work on the

regulation of youth football from a rights perspective. I thank him for the significant role that he played in highlighting those important issues.

The committee was concerned when, earlier this year, the current children's commissioner confirmed that the issues that his predecessor raised had not yet been resolved. That said, I welcome the briefing that we received today from the commissioner, which states that he agrees with all the recommendations in the committee's report.

Before I go on to discuss our conclusions and recommendations, I place on record, on behalf of the committee, our heartfelt thanks to the petitioners, Scott Robertson and Willie Smith. The time and effort that they have dedicated to make a positive change to the world of youth football is to their credit. Although I will focus on what the committee considers to be the challenges that remain in youth football, it is important to recognise what has been achieved, which, in large part, is due to the sheer tenacity and determination of the petitioners.

The fact that young people who are registered with football academies can now play for their school team and the recent work that the Scottish Football Association has undertaken to prioritise the wellbeing and protection of children are to be welcomed. The time that it has taken to make those changes, however, is not. The committee considers that the pace of change that the football authorities have demonstrated throughout the lifetime of the petition has been unacceptably slow.

Although it is clear that the petition raises a number of issues for the football authorities to address, there is also a key role for the Scottish Government in ensuring that the rights and wellbeing of all children and young people are protected, regardless of the environment that they are in, which, of course, includes youth football.

The committee notes the Scottish Government's positive engagement with the petition, as well as its willingness to work with the football authorities to deliver the best outcomes for children and young people who are in the academy system. We further note the Scottish Government's preference to wait for changes in the system to bed in before any consideration is given to further regulatory action.

In recognition of the deep-rooted child protection concerns that the petition raises and the wide range of evidence that the committee has gathered, the Scottish Government must now take action to work with the SFA and the Scottish Professional Football League to evaluate all the measures that have been introduced and to

investigate the impact of the changes that the committee has recommended.

I turn to the recommendations and will first address the issue of registration periods. Currently, players in the 15 to 17 age group are signed for a three-year registration period, which differs from that for players in the 10 to 14 age group, who register annually. The rationale for the longer registration period for players aged 15 was explored extensively by the committee. The reasons that were given included

"the physical and social development of players, the benefits to clubs and the structures of youth teams in this age group."

Taking everything into account, the committee considers that the set-up simply means that the balance of power is stacked heavily in favour of football clubs, rather than being in the best interests of the child. Therefore, we recommend that

"players under the age of 16 should not be required to sign up to a system that ties them in to a multi-year registration."

It is encouraging to note that the SFA plans to review those rules and recognises the negative consequences that they can carry for young people. Although the committee welcomes that commitment, we do so with an element of caution. Indeed, the committee understands that previous work done by the SFA in 2015 to review the rules resulted in no change. Therefore, we encourage the SFA not to rehearse previous discussions, but to put in place fit-for-purpose rules on player registration.

Closely allied to the issue of registration is the question of compensation payments that may be made when a young player moves from one professional club to another. The committee heard a wide range of evidence on the issue, including that compensation payments are a FIFA requirement and are calculated using a matrix to identify what the acquiring club is required to pay, based on the value of the training that the club would have provided up to the relevant point in a player's career. The committee takes no issue with that principle. However, after reflecting on further evidence that we gathered, we believe that it would be fairer to make a compensation payment only

"when a player signs their first professional contract."

As the committee understands it, that approach would still be compliant with FIFA rules.

A further focus of the committee's work was around whether a payment

"to young footballers who have progressed to professional contracts has always complied with minimum wage legislation."

Evidence that the committee received highlighted instances of clubs having made payments at levels that were not compliant.

At the beginning of the year, the committee tested the issue with the SFA. We were encouraged that work has been done by the football authorities to address the issue, but we consider that there is scope for more work to be done in that area. That could include annual sampling of contracts to provide an extra level of assurance that clubs are acting in accordance with the minimum wage legislation.

We are firmly of the view that, unless further changes are introduced to the youth football system, Parliament will continue to raise questions about how children and young people are protected in that environment, and whether it is now time for external, independent regulation. That is not a new point—the Health and Sport Committee previously highlighted to the Scottish Government that it is the

“overriding duty of the SFA”

to eradicate

“any perception of a power imbalance.”

The Health and Sport Committee recommended that

“if this is not forthcoming from the football authorities legislative change is required.”

I also highlight calls made by the Children and Young People’s Commissioner Scotland earlier this year that statutory measures are now required to ensure that children’s rights are protected effectively.

It is encouraging that the Minister for Public Health, Sport and Wellbeing supports our recommendations, and we look forward to hearing in detail today how he intends to act on them for the benefit of all young people who are involved in the game. I also note that he intends to liaise with the office of the children’s commission to have a meeting with the SFA and the petitioners on the issue as soon as restrictions allow. The children’s commissioner also noted that in his submission.

It would be remiss of me not to recognise that we are living in unprecedented times. The response to the on-going Covid-19 public health emergency has forced us all to adjust our ways of working to get things done. Our report recognises that, and encourages the Scottish Government and the football authorities, alongside the petitioners and any other relevant stakeholders, to identify ways to address the issues that are raised in the report during these challenging times.

Covid-19 will not be with us for ever. The committee hopes that the issues that are raised in the report are actively addressed now, so that

when things return to some form of normality, systems and processes are in place to ensure that the rights and wellbeing of young people are at the heart of youth football in Scotland.

I move,

That the Parliament notes the conclusions and recommendations contained in the Public Petitions Committee’s 2nd Report 2020 (Session 5), PE1319: *Improving youth football in Scotland* (SP Paper 763).

15:15

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): I thank the present and previous members of the Public Petitions Committee for their work on the inquiry over a large number of years, and for securing the debate. I welcome the opportunity to discuss the issue and to respond on behalf of the Scottish Government.

It is also important to pay tribute, as Gail Ross did, to Willie Smith and Scott Robertson, who lodged the petition in 2010. To echo the words of the committee, their “passion and commitment” in pursuing the issue has been commendable. It is particularly commendable that they are sticking with the matters involved in the petition. I will talk later about the meetings that we intend to have; Scott and Willie are very much part of the on-going discussion.

We know that this has been a long-running issue; as has been said, it is the longest-running petition since the Scottish Parliament was established. The committee first took evidence on 20 April 2010 and held a number of sessions at which it heard from a wide range of individuals and organisations who have an interest in what is a complex topic. It was therefore no surprise that those discussions and deliberations explored a range of issues that are connected to youth football. Many new issues emerged and were considered by the committee.

For countless children, being a footballer is the ultimate dream. Many will have dreamed of scoring a goal in a cup final, pulling on the dark blue of Scotland, saving a penalty in the final minute, or dancing with their Scotland team mates and singing “Yes Sir, I Can Boogie”. For the vast majority of children, a dream is all that it is; the chances of becoming a professional footballer are vanishingly small. However, children are still determined to pursue that dream, whatever the odds, and it is the responsibility of MSPs, the football authorities and others to make sure that they can do that safely.

I think that most members—especially members of the committee—will be familiar with the background to the petition. Under Scottish FA procedures, the registration of a player in age

group 15 allows a club to extend the player's registration to age group 16 for the following season. That can happen again at age group 16. The key issue is that the club, not the child, can terminate the registration at any time. Clubs make significant investments in the development of young players, and registration ensures that clubs receive compensation, should the child move to another club within the club academy Scotland set-up. Those two issues are, I believe, at the heart of what is a long-running debate.

After a little more than 10 years, the committee published its report on 22 June. It recognised that the duration of its consideration

“reflects the seriousness with which the issues raised have been addressed”

and

“the complex nature of some of these issues”.

For the Scottish Government, the key issues from the report concern the power imbalance that was mentioned by Gail Ross in her opening speech, which must be eradicated by the football authorities. We should work with the football authorities to consider the professional youth football system in detail, and the impact of any changes that have been made to date.

It is important to recognise that, over the course of 10 years, the situation has not been stagnant. I absolutely hear the concern of the deputy convener and the committee about the pace of change, but it is also important to recognise that there has been change, and that the football authorities have engaged on the agenda that the committee has brought forward. However, another of the committee's conclusions that Gail Ross outlined was that, unless further changes are introduced, external and independent regulation should be introduced.

Johann Lamont (Glasgow) (Lab): Will the minister clarify whether the Scottish Government's position is that, should there be no further progress, regulation will be necessary?

Joe FitzPatrick: I am just about to come to our position on that.

As it is for the committee, it is important to the Scottish Government to highlight the work on the changes that have already been made. As the committee's report does, we recognise that progress has been made to help to protect children and young people in the youth football system—in particular, I mention the opportunity for club academy Scotland players to play recreational football and the establishment of a young player wellbeing panel. It is important that we recognise those things. We welcome the other encouraging steps that are being taken by the football authorities.

However, we acknowledge that concerns remain. We agree with the committee that ensuring children who play football are able to

“participate safely in a safe environment”

should be

“an absolute and overriding duty”

of the Scottish FA. The Scottish FA's board recognises and shares that view, and the Scottish Government and sportscotland will continue to ensure that that commitment is met. I have many meetings with members of the Scottish FA, so I can assure members of the committee that, at all levels, from its president and its chief executive, Ian Maxwell, to leaders at youth level, it is clear that there is a desire to meet that commitment, but we need to make sure that it is clearly met all across Scotland.

We agree with the committee that enough time has passed to consider whether the changes that have been made to date have been effective, so we will consider how best to assess the system and the potential impact of recommendations that are proposed by the committee. We have considered the issue—including requests for external regulation—in depth over a period of time, and will continue to consider how to introduce greater external independent oversight of the existing system, should that be necessary. I hope that that addresses the question that the convener asked.

Let me be absolutely clear: the welfare of the child is paramount. That should be the main consideration for all of us, and it is non-negotiable. As I have already said, it is tough to make it as a footballer and most, sadly, will not make it. However, I believe that the system can have the welfare of the child at the heart of its considerations, so that even children who do not go on to become professional footballers or join the Scotland team have a positive experience that they can take into their adult life, to the workplace and beyond. I believe that a balance can be struck that ensures that we can protect the child's welfare while also encouraging clubs to invest in developing the next generation of elite Scottish footballers.

My officials are continuing to discuss those issues with stakeholders and, as the deputy convener mentioned, we intend to meet the children's commissioner's office, the Scottish FA and the petitioners to consider next steps. The commissioner's office is facilitating and pulling together that round-table discussion, which will happen as soon as it is safe to have it.

Together, drawing on the work that has been undertaken by the committee over the past 10 years, we can ensure that the system has the

rights of the child at its heart. I again thank the Public Petitions Committee for a considerable piece of work, and I thank the committee and the petitioners for securing the debate on this important issue.

15:23

Brian Whittle (South Scotland) (Con): I am grateful for the opportunity to open the debate on behalf of the Scottish Conservatives. As members will know, this is a topic in which I have a deep-seated interest. I declare that I am a senior coach and have coached at several senior football clubs.

As Gail Ross said, the debate is especially pertinent given the recent success of the Scottish men's football team in qualifying for the European championships, which follows on from the ladies' success. I congratulate all the team and staff for breaking that fast, but I make a personal plea to the team: please, get there just once with a little less drama.

However, that is a timely reminder of the impact that sport can have on the nation. The whole nation exhaled as one when David Marshall dived to save the last penalty in the penalty shoot-out, and I am pretty sure that it registered on the Richter scale. Kids all over the country will now be dreaming of emulating their heroes by playing for their country, and will be fantasising about saving that penalty or scoring that all-important last-gasp winner. It has ever been the case.

I spent some time alongside Johann Lamont in the Public Petitions Committee. It is fair to say that progress on the petition had been frustratingly slow and that evidence sessions were sometimes quite heated. Specifically, I recall one session with the chief executive of the SFA. Afterwards, I met him off-site; I appreciated that meeting and we managed to put across some of our points in a less heated fashion.

However, it seemed to members that the people who should have had influence in the issue were reluctant to take any responsibility. Some individuals and bodies have had to be dragged kicking and screaming to the table. For example, the Children and Young People's Commissioner only recently accepted that there is a problem, having taken a roasting at committee for a non-committal and unacceptable response to questioning during an evidence session.

The written response to the committee report from the minister, on behalf of the Scottish Government, shows a lack of understanding of the issue and a reluctance in the Scottish Government to take positive action. That is from a Government that wants to get it right for every child. How can the minister ensure, as it says in his letter, that

“the Scottish Government and sportscotland will continue to ensure”

that children can

“participate safely in a safe environment”,

when the report clearly highlights that that environment is far from safe in the first place? What is the role of the clubs in all that? It has taken 10 years to get to that point; there is real dragging of the feet, and the clubs are at the centre of that.

I say to the minister that the real issue is simple: it is about attitude. The primary responsibility of any coach, team or national governing sports body is to the health and wellbeing of their charges, and that fundamental notion is implicit in parents' decision to hand their children over to a sport. The majority of coaches, clubs and sports bodies take that responsibility extremely seriously and carry it out it very well.

However, as the petition report suggests, that approach is not universally accepted in football. I have always been concerned about the way in which some professional football clubs pick young footballers up, only to discard them further down the line. It cannot be overstated how devastating it can be for a child of 12 or 13 to be picked up by a professional team, with all their hopes and aspirations in front of them, only to be discarded without any support. I would not define that as looking after a child's wellbeing.

The practice of picking up players to prevent other teams from getting them was investigated, as was the matter of transfer fees for children, as has been mentioned. Lack of proper wages and contracts for young players seem to be more common than the governing body cares to admit. I recall being told by the chief executive that it was up to the child to report the club if the rules were breached. How many children would wreck their football dreams to report the club for which they play? The phrase “head in the sand” comes to mind.

All those practices are completely unacceptable, however rare—or otherwise—they are. The system should not allow them to happen; I cannot think of another sport that would tolerate such treatment of its young participants.

What we want from the sport is a pathway from the early years all the way to international level, that includes many points along the way for various talents and abilities. As the minister mentioned, fewer than 0.1 per cent of sports participants reach international level, so for the vast majority of players, participation is, although it is a passion, just a hobby. It is a way to interact, to be included and to be physically and mentally fit and healthy.

The sport has a responsibility to every player, no matter the level that they play at. For those who try to hit the highs of professional sport and do not quite make it, there has to be a better system than their just being discarded. There must be support for all players to remain in the game in some capacity. Surely, that would be to the benefit of the sport as a whole.

The petition should have been closed long ago, and would have been, had all those who have had parts to play been reasonable in their approach. However, a decade later, here we still are. How can it be so difficult to get a sport's governing body, which receives significant Government funding, to give participating children the rights to which they are entitled? The power balance in football is all wrong and the system is open to its rules being broken far too easily and with what seems to be complete impunity.

I have to say that the Scottish Government is culpable because of its refusal to roll up its sleeves and get involved. It is certainly not getting it right for every child, in this case. I recognise that progress—however slow—has been made by the SFA and the SPFL over the piece, but it is time that the issues were properly dealt with. Trading on the hopes and dreams of children is entirely unacceptable.

15:30

David Stewart (Highlands and Islands) (Lab):

I am delighted to open for Labour in this important debate. Like many members, such as James Kelly and Liam McArthur, I am a lifelong football fan. I have followed Inverness Caley Thistle since its inception and youth football has played a vital role in its success, growth and development. I am honoured to chair its charity arm, the Inverness Caledonian Thistle Trust, and I refer members to my entry in the register of interests.

I congratulate Johann Lamont, Gail Ross and the other members of the Public Petitions Committee for their sterling work on this crucial petition. I have long been a strong advocate of the Parliament's groundbreaking petitions system, which is so admired by legislatures across the globe. In 2011, I was the new convener of the PPC and the petition that is before us today was one of the first that my committee considered. I place on record my appreciation of the dedication, commitment and steadfastness of the petitioners.

During our tenure, the PPC took evidence from the petitioners, asked the view of the Scottish Government and held face-to-face meetings with the football authorities. Everyone agreed that youth football was a key component in the development of the Scottish game; the crux of the matter was ensuring that young people's rights

and interests are protected, so the evidence of unfair or restricted terms and contracts was key.

We welcomed the impact of the Children and Young People's Commissioner Scotland; at the time, that was Tam Baillie. I thank him for his contribution to the PPC. We also took on board the legal implications, such as the United Nations Convention on the Rights of the Child and section 1(1) of the Age of Legal Capacity (Scotland) Act 1991, which affects the ability of under-16s to effect contracts.

The report, "Improving youth football in Scotland", has been the result of many years' hard work by the committee following the petition from William Smith and Scott Robertson on an important issue. We in Scottish Labour welcome and support the conclusions and recommendations in the report.

As parliamentarians, we have a dual interest in the issue. First, we have a responsibility to use the scrutiny and legislative powers that we have to ensure that children who are part of professional youth academies are adequately safeguarded, especially when it comes to registrations and contracts. Secondly, we have an interest in ensuring that Scotland's best young footballers are able to thrive and grow to reach their maximum potential as athletes.

With those responsibilities in mind, the committee concluded that two key changes should occur in Scotland's professional youth football system: ensuring that players under 16 should not be bound by multiyear club registrations, and changing the system for the reimbursement of training costs so that compensation is paid only when a player signs their first professional contract.

Those changes would ensure that there was a fair balance between the rights of professional clubs to operate their youth academies independently and develop the players that they choose to develop, and, on the other hand, the rights of children and young people not to be bound to multiyear commitments so that they and their families are able to freely make life and sport choices in their best interest.

Importantly, the changes, which would involve the Scottish Government and football authorities working closely together, would be compliant with FIFA's regulations. That is because legislative intervention would be sought for the purpose of protecting the rights and wellbeing of children and young people and ensuring that reimbursement for training costs is specifically compliant with FIFA regulations.

We welcome the work that the SFA has done on the issues over the previous decade and the commitments that it has made, but the report

makes it clear that more has to be done and I share its conclusions, including that the governance of Scottish football has shown a

“lack of urgency about ... ensuring that systems are in place to put the rights ... of ... young people at the heart of ... decision making.”

I again congratulate William Smith and Scott Robertson on bringing forward the initial petition and making the Parliament aware of the issues, which has led to so much good committee work over the past decade. I note that their submission to the committee in June this year said:

“The publication of the final report on 22 June ... was a major milestone in our journey. We were delighted with the contents and the language which sends a clear and strong message to the Scottish FA and Scottish Professional Football League”.

They are clear, the committee is clear and I am clear that the footballing authorities must act on the report’s conclusions and recommendations. All of us want Scotland’s national team and clubs to thrive and succeed; I have no doubt that we will be in the European football championships next year, where I expect Ryan Christie—a product of Inverness Caley Thistle’s youth academy—to star. However, we also want all boys and girls who aspire to become footballers to have maximum flexibility in deciding when to join and when to leave youth academies, as is their and their family’s right. If the report’s recommendations are implemented in full, the balance will be correctly struck.

Finally, as Kofi Annan said,

“There is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected”.

15:35

Liam McArthur (Orkney Islands) (LD): I, too, am delighted to take part in this short debate on youth football in Scotland. As others have done, I pay warm tribute to Scott Robertson and Willie Smith for their tireless efforts, and commend Public Petitions Committee members past and present for their work on the issue over the past 10 years.

Although I have not been directly involved in the committee’s work, the chamber will not be surprised to hear that the subject of that work is very close to my heart. Thanks to my two sons, I have been heavily involved in youth football in Orkney over the past decade or so. My CV includes coaching roles with the Burray Boomerangs, the Hope-Burray Hotspurs and East United, and I have even managed to pick up a few SFA coaching qualifications along the way. It has been a hugely rewarding experience, and I am delighted by the development in the sport at a

local level, which has been overseen by the Orkney Youth Development Group and enabled by so many parents and volunteers. As well as giving boys and girls in Orkney the chance to develop their skills, confidence and friendships, it has contributed to improved physical and mental health.

At the more elite end, I also want to put on record my thanks to Ross County and David Stewart’s beloved Inverness Caley Thistle for the time and commitment that they have put in to supporting football in the islands. Many Orkney youngsters have gone on to represent both teams at youth level, although I certainly recognise the concerns that Brian Whittle raised about how players are subsequently let go.

Before I turn to the other specific concerns that are highlighted by the committee, I want to make a plea that is based on my experience at this level of youth football. Safeguarding the welfare and wellbeing of the young boys and girls who play football or any other sport is paramount, but we must also ensure that safeguards are proportionate and effective, and that they are not simply box-ticking exercises that do little to safeguard, but which tie up clubs and volunteers in bureaucracy, forcing many to give up and thereby reducing the opportunities that are available for young people to participate.

I make a distinction between that issue and the issues that the committee has rightly focused on. Those relate to contractual arrangements around youth football, which have given rise to very real and serious concerns. As the committee acknowledged, the legal status of professional SFA clubs entering into contracts with children under 16 is a matter for the courts to adjudicate on, but there seems little doubt, as the committee concluded, that

“a club holding a player’s registration retains some control over the choices of that player.”

Promises by the SFA to review registration rules have so far come to nothing.

Concerns have also been raised about the social, educational and psychological effects, not to mention the legality, of SFA clubs prohibiting young players from taking part in extracurricular activity. Oversight of that appears to have been inadequate, while progress on compensation payments and adherence to minimum wage requirements has been frustratingly slow.

I have no desire to see the Parliament or the Government meddling unnecessarily in Scottish football, particularly at the very time that we are starting to look forward to the prospect of our senior men’s team taking part in their first major tournament in the lifetime of this Parliament, but

we cannot ignore what the committee concludes has been

“a reluctance or lack of urgency about ... ensuring that systems are in place to put the rights and wellbeing of children and young people at the heart of policy and decision making”

in the sport.

I again thank the Public Petitions Committee for its diligence, I most warmly thank Scott Robertson and Willie Smith for their tireless efforts, and I hope that the Government can now make the progress that we need to see—working alongside the football authorities—to address the serious shortcomings that are identified in the committee’s report.

The Deputy Presiding Officer (Christine Grahame): We move to the open debate. I ask for speeches of four minutes. We have a little time in hand for interventions.

15:39

James Dornan (Glasgow Cathcart) (SNP): As a non-member of the Public Petitions Committee, I place on the record my appreciation for the work of the convener, Johann Lamont, Gail Ross and the rest of the committee for their hard work on the issue.

Most of all, however, I thank the petitioners, Willie Smith and Scott Robertson, who I have had the pleasure of getting to know over the past few years, and who have recently been strongly supported by Leigh McLevy, for their tireless work to keep the protection of young footballers at the forefront of people’s minds. Over the past decade, they have brought their campaign before numerous committees, involved the Scottish Government and local authorities, secured the support of the Children and Young People’s Commissioner Scotland and forced the SFA and the SPFL into taking much-needed action. They truly deserve our thanks.

Without a doubt, the report is a milestone, but the matter need not have come this far. The footballing authorities could have listened to the findings of Tam Baillie’s report in 2015, to those of the Health and Sport Committee’s report in 2017 or to children, their families and the campaigners.

I have said in the chamber many times that my entire life has been steeped in football—as a fan, as a coach and manager of youth football teams and as the father of two sons who are heavily involved in football. My experiences and passion for the sport, coupled with my determination to stand up for children and young adults, mean that I have fully supported the aims of the petition.

It has been clear that things have needed to change because, over the years, we have heard

about children under the age of 16 entering contracts with professional clubs, children being paid as little as £1 a week, children being unable to move teams because their club is blocking a move for more compensation and, even worse, children having agents who had not had background checks carried out beforehand. The system is tilted far too heavily in favour of the professional clubs and it is abundantly clear to me that children have been treated not as children, but as commodities. I find the report utterly damning of the footballing authorities.

I turn to the recommendations in the report and what needs to happen as a result. As we know, footballers at all levels require to be registered with the SFA in order to play regulated football. For players who are aged 10 to 14, the duration of registration is a year. As has been stated, however, the duration for 15-year-olds can total three years. I agree with the committee’s conclusion—I have held this view for years—that the one-year registration period should be extended to cover 15-year-olds.

How does the three-year registration support the aims of child protection? We have heard far too often of historical abuse continuing at clubs because young people have been too scared to say anything in case it meant the end of their career. Imagine if a child has to suffer that abuse not just for one year but for three years, solely because the club wants to be able to hold on to the child’s registration. That is simply not acceptable and it should be stopped immediately.

The SFA continuously claims that the compensation rules are a requirement of FIFA that national bodies cannot diverge from, but I do not believe that to be accurate, as many countries, including Denmark, Sweden and Portugal, have no such rules.

Real change will not happen for as long as clubs can request compensation payments for children and young people and they can be held to three-year registrations. Unfortunately, I remain deeply unconvinced that the SFA and SPFL will do the right thing of their own accord. I therefore urge the Scottish Government to consider introducing greater external, independent oversight of the existing system as soon as possible.

The Scottish Government recognises in its response to the report the “progress” regarding “the establishment of a young player wellbeing panel”

in 2014. However, I have heard from the petitioners that they believe that the panel has been used only twice in several years, and apparently it is a very arduous experience that mimics a judicial process. How does holding such a hearing in such a way promote the best interests of a child who merely wants to leave a football

club? I encourage the Scottish Government to consider carefully whether the panels are fit for purpose.

Four years ago, I took part in the committee's deliberations on the petition; three years ago, I took part in a debate; and, of course, the petition has been on the Parliament's radar for over 10 years. Let us hope that we do not need to wait any longer for meaningful action by the football authorities.

I finish by again thanking Willie, Scott and Leigh for running the campaign. Without them, we would never have got to this important stage in the first place. Let us not keep them waiting for too long.

15:44

Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con): I thank the Public Petitions Committee and its convener for bringing this important report forward after so many years, as James Dorman has just highlighted.

For many young people, football is a passion, and an offer to join a club set-up is a dream come true. As we have heard in many speeches today, however, the reality can be far from that. All too often, young players find themselves stuck in contracts that pay them unfairly or, sometimes, not at all.

The Public Petitions Committee considered the petition when I was a member of that committee, and I was very keen to hear the witnesses. I cannot reiterate how important it is that we are discussing the issue and that the SFA should take on board all the comments that it hears today.

Progress on improving rights for young footballers has been too slow. We need to recognise that, unless the power imbalance between clubs and young players is addressed, there will continue to be problems. I am so glad that the committee decided to tackle the issue, which is long overdue.

The Public Petitions Committee found that there are significant issues with the youth football system, which is weighted too far in favour of professional clubs. It is acknowledged that the system leaves children and young people in the position where they find themselves disadvantaged in terms of choice. They might wish to make a choice regarding their footballing ambitions but are unable to do so.

Hearing from parents in the Borders who have seen children go through great disappointment and anguish because they have been left unselected for a professional team, with very few alternatives, is demoralising. The situation is made worse by the issue of players being prohibited from participating in school teams in addition to

their club team. For example, I was told that, if a player wanted to play in their school team on the Friday, it would mean that they would not be able to play for their professional team on the Saturday. Such players are almost being discriminated against and are prevented from joining in with both types of team and enjoying their company and collegiate efforts. I spoke to one father who told me that his son binned his football boots in anger after putting in hours and hours of training over many years only not to be selected.

I used to be a netball umpire and coach, when I had a little bit of time before entering politics, and I know that young people's expectations and disappointments have to be managed very carefully. Young people must be given hope. There are easier pathways to lower leagues, so they do not have to be put off for life. The upset and damage that the system can do to a young person's mental health is far reaching. It takes its toll on parents, too. Parents are often driving all over Scotland to matches, with no financial assistance whatsoever. It is really stressful, and I only have to speak to my constituents to find that out.

There have been incidences of clubs having failed to pay the minimum wage to youth players. In 2015, a *Sunday Post* investigation found that at least five clubs in Scotland's top two divisions were not paying the national minimum wage of £2.73 an hour, which was shocking. Although the committee accepted that work had been done to try to address that issue, there is scope for authorities to do more, such as through annually sampling contracts. When young people and their parents are giving up so much time, often compromising their studies and bank balances, it is unfair that there is not ample financial support.

Another action that should be taken to help young people to balance studies, work and football is the waiving of the requirement for under-16s to sign multiyear contracts.

As many members have done, I thank Willie Smith and Scott Robertson for lodging the petition. We all know how long it has taken to get to this point, and it is commendable that they have continued with their efforts, which will result in a clear set of recommendations for the Scottish Government to implement.

Progress has been made over the years—

The Deputy Presiding Officer: No, no. Please conclude.

Rachael Hamilton: —but we must encourage more people to take up football.

15:48

Kenneth Gibson (Cunninghame North) (SNP): I congratulate the committee on securing the debate and William Smith and Scott Robertson for lodging the petition more than a decade ago.

Scotland is a footballing nation, and the results of our men's and women's national teams have at last improved in recent months. Football has been an inherent part of our culture for generations, with many professional, amateur and youth clubs providing vital community hubs to countless people across Scotland. As a result, many boys and girls in Scotland dream of following in their footballing heroes' footsteps and embarking on a professional career, or at least being able to play for their hometown club.

There are many positives to that, including improved confidence and social skills, as well as the benefits of frequent physical exercise and improvements in young people's mental health and wellbeing.

Football academies are a proven asset to local communities. Although Willie Coffey is listening, I will say that UEFA's social return on investment model, for instance, demonstrated that Ayr United's football academy contributes almost £10 million annually to the local community.

However, we know that football has become big business, with players, including teenagers, potentially having a market value of millions of pounds. In recent decades, it has become common practice for big professional clubs to woo young players away from their local youth clubs.

Talented children and young people must be protected from the potentially negative consequences of the football industry by putting in place robust systems that have the wellbeing of young players as the overriding aim. Few footballers really make it in the professional world, and broken dreams and crushed ambitions can have very serious consequences for young players who do not secure professional contracts and are released.

I welcome the progress that has been made since petition PE1319 was lodged, in March 2010, thanks to the petitioners' passion and commitment. It is particularly encouraging that club academy Scotland players can now play recreational football and that a young player wellbeing and protection department has been established. It is overseen by an independent advisory board and is chaired by the chief executive of Children in Scotland.

I also commend some of the more recent work that the Scottish Football Association has undertaken, such as the publication of a child wellbeing and protection strategy. That strategy

covers the period from 2019 to 2024, and it is aligned to the Scottish Government's framework for supporting children and young people and tied in with the Scottish ministers' commitment to review the registration rules in relation to 15, 16 and 17-year-olds.

However, I am concerned by the committee's conclusion that,

"somewhere within the governance of football in Scotland, there has been a reluctance or lack of urgency about the core issue of ensuring that systems are in place to put the rights and wellbeing of children and young people at the heart of policy and decision making."

If that is true, it is also unacceptable that the football authorities may have attempted to sit out many of the problems that are highlighted in the petition until the conclusion of the committee's work.

The current system too often seems weighted too far in favour of professional clubs, while young players are at a disadvantage when it comes to reconciling their football ambitions with other life choices. In order to see our young people flourish, more changes must be brought about that put players' welfare at the centre of decision making. Those changes include measures to ensure that players under 16 are not forced into a system that ties them into a multiyear registration and changes to the reimbursement of training costs. Compensation payments should be required only when a player signs their first professional contract.

Making those changes is primarily the responsibility of the Scottish Football Association and the Scottish Professional Football League. However, as the Scottish Government has engaged extensively over many years on the issues that the petition highlights, I expect the Scottish ministers to work with the SFA and the SPFL to conduct an evaluation of all the steps that have been introduced to date and to analyse the potential impacts of the measures that the Public Petitions Committee has suggested.

We all want to see our football players and clubs being successful. That must happen within a culture that respects the rights of young people and a system that supports their wellbeing at all times. I am confident that the Scottish Government is listening and that it will ensure that greater external and independent oversight is introduced into the current system, which is not serving our young people as well as it should.

15:52

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): As somebody who watches football and has watched Kilmarnock Football Club for over 55 years, I am happy to offer a few words on the

subject of youth football. First, however, congratulations must surely go to the national team under Steve Clarke, who is a Kilmarnock legend, for taking our country back to a major championship next year. That will be our first since 1998. Our bonus of reaching league A in the nations league fell short at the last couple of hurdles, but I am sure that we are on the right road under Steve Clarke's leadership.

A 10-year-old petition must be a rare thing, but we have one. Some of the young players whom the petitioners had in mind when the petition came to the Parliament in 2010 may well have been playing for the national team in the past week. Reading the committee's report, I can see the frustration about a number of issues—not just the lack of clarity on things such as the registration process but the lack of progress in resolving those things or even clarifying what it all means in practice for youngsters and their families.

I was confused when I read through the evidence sections on the registration issue. It appears that, when a youngster signs a registration form for a football club—I believe that that is a FIFA and therefore an SFA requirement—that confers on the club some rights to retain the young player's services if it chooses to, even if the player wants to go somewhere else at the end of the particular year that the registration covers. If that is right, surely it cannot be acceptable. It sounds like a contractual condition that has been applied without the knowledge or consent of the youngster and their family.

Mr Robertson, who is one of the petitioners, said:

"If someone signs a registration form when they are 15 and they complete that commitment for one year, the club can hold them for a second year and the player has no say in that—he has no get-out clause. If at the end of the second year the club wants to keep them for a third year, it has the power and authority to do that—the player and the parents have no say in that."—[*Official Report, Public Petitions Committee*, 20 May 2014; c 2263.]

That sounds to me like a contract, and that was not countered by any of the others who gave evidence.

In football, we hear all the time about clubs retaining players' registrations, which has often led to severe financial detriment and loss of freedom for the players concerned. I agree with the committee that that needs to be sorted out—but by whom? Should it be the SFA or the Government, or will a legal challenge be needed rather than the involvement of the Government? We all know that Government involvement has never been welcome anywhere in football circles.

Other areas of the petition, such as accountability for public funds, compensation payments for transfers and the need to focus on

the wellbeing aspects for our young players, have been well covered by other members. I know that clubs like Kilmarnock are doing a good job with our youngsters in that regard. I have met some of the young players there over the years, and they are well looked after by the club. The Kilmarnock youth academy is a great success story and has brought several players through to the first team squad and on to international cups for their country. Greg Taylor played for the under 17s and under 20s at Kilmarnock and then went on to play for the first team and for Scotland. Kris Boyd, Steven Naismith and Cammy Bell played for the club before him, too.

I admit that I like the committee's statement in paragraph 12 that, after 10 years of waiting for progress in some of those areas, "time is up". One of the great strengths of our national Parliament is that the people of Scotland can raise an issue and see their elected members taking action if they support the ideas in the petition. The committee's report has made a valuable contribution to some of the issues relating to how we support youth football in Scotland. I sincerely hope that the players mentioned in the report who are still affected have not retired from the game by the time that any of the committee's recommendations are implemented.

15:56

Tom Mason (North East Scotland) (Con): This petition comes to the Parliament for debate after a decade of consideration by the Public Petitions Committee over the past three sessions of Parliament, so I hope that, one way or another, we will be able to make progress.

It does not take a rocket scientist to figure out that young people the length and breadth of Scotland love our national game and relish the opportunity to play whenever they can, whether that is kicking the ball around in the street or the school playground—if they are still allowed to do that—or playing at the highest levels of the game. However, as the petition and the committee's report argue, there is an imbalance between the young players and the clubs, which can result in some players being caught in exploitative contracts and not being paid fairly for their efforts.

I came very late to the issue and was shocked to realise what was going on and to see that the impasse had taken so long to resolve. I find myself in something of an old-fashioned situation in seeing sport as something that should be done for enjoyment rather than money, but if youngsters are able to do both, all power to them. That said, I welcome the report's findings and the apparent degree of consensus on the changes that are needed to improve protections for young players at club level. It is clear that those have taken far

too long, but I hope that the solutions that have been identified can be implemented at a much faster pace.

That is not to say that the development of young players' welfare has been static since the petition was lodged. The SFA's establishment of a wellbeing protection department in addition to a five-year child wellbeing protection strategy, which was launched last year, are both welcome and commendable steps. However, there is a need to go further, and I will focus my remarks on a couple of specific areas.

One of the key issues that the petition presented was the overall system of player registration. The effect of multiyear registrations on players over the age of 15 and the extent of control that a club can have over the player is particularly important, especially for players who have not yet turned 16. Being tied into a multiyear registration means that players could find themselves stuck at a club that is either not helping their development or keeping them on the books with no prospect of a contract in the future. Enabling single-year registration for 15-year-olds who are, by definition, not on a professional contract would enable players and their families to make the best decisions for their career prospects.

In addition, concerns have been raised over the apparent failure of a minority of clubs to pay the minimum wage. I am encouraged by the work that has been done on the monitoring process, but I think that additional auditing to ensure uniform compliance should be done going forward.

Talented young people deserve the chance to play football in a safe environment that protects their wellbeing and prevents exploitation from taking place. To make that more of a reality, the committee's report identifies multiple areas where improvement is necessary. I hope that the SFA and the Scottish Government will work together to deliver those changes.

As the events of the past week prove, our national game, and particularly our national team, can inspire the entire country. I hope, however, that we will celebrate victory, as opposed to just the entry ticket.

I hope that these changes will be implemented as soon as possible, and that they will make it easier and safer for the next generation of players to try to emulate their heroes and to go as high as their talents can take them.

The Deputy Presiding Officer: Stuart McMillan is the last speaker in the open debate.

16:00

Stuart McMillan (Greenock and Inverclyde) (SNP): I welcome the debate and, like others, I

commend the petitioners for their determination to make a positive difference for every young person who plays football in Scotland. I thank colleagues, past and present, who have worked on the petition. It clearly was a tough task, but it was important to progress. As we have already heard, there is still much work to do. I also commend the speeches by Liam McArthur and Willie Coffey in the debate, which have been extremely useful and helpful.

When a child wants to participate in any activity, including football, the delivery of it is extremely important. Those who do that work are trusted, and they need to be trusted; as football is the national sport in Scotland and therefore many children participate in it, that aspect is crucial. The entire game of football in Scotland has to ensure that its house is in order. Progress has been made, but there is still much work to do.

We all want to see young people flourish and to have the opportunity to be happy in what they choose to do in their future. Some will go on to represent Scotland at their chosen sport, such as football, but the majority will use the experience to better their life chances. Ultimately, we also want to create a country and a culture that respects the rights of children and supports their wellbeing. I know that the Scottish Government has engaged extensively over many years on the issues that the petition has raised, and it certainly recognises the importance of the rights of the child being observed at all times.

However, the Scottish Government must also recognise, as the Public Petitions Committee does, that progress has to be made to protect children and young people in the youth football system. I note that there is now the opportunity for club academy Scotland players to play recreational football, and that a young player wellbeing panel has been established.

Many years ago, when this issue was first raised, I felt sympathy for any young person who was caught up in the situation that the petition raised. In addition to training and playing in an organised way with a club, it is natural for a young person to have a kickabout with pals or to play for the school team. Those are some of the chances a young person could have to improve their footballing skills.

I am pleased that the Scottish Government agrees with the committee that ensuring that children who play football are able to

"participate safely in a safe environment"

should be

"an absolute and overriding duty"

for the Scottish FA. Apparently the Scottish FA board recognises and shares that view, and the

Scottish Government and sportscotland will, I hope, ensure that that commitment is met. That is crucial. As work needs to continue, that sharp focus on delivering it must apply. I note that the Scottish Government agrees that enough time has passed to consider whether changes that have been made to date have been effective. However, that work still needs to happen and that focus still needs to be there.

In addition, having considered the issue in depth over a period of time, including its consideration of requests for external regulation, the Scottish Government apparently will continue to consider how to introduce greater external, independent oversight into the system. That is also crucial. We need to have that trust in how football is delivered in the country. I genuinely welcome the work of the Public Petitions Committee.

Football brings many high and lows, as any football fan will have had over the past week. Particularly for fans of the national team, they happen all the time. We truly want the sport to be the best it can be, and to be the best opportunity for our young people. I very much welcome the petition that has been delivered through the Parliament, and the work that is still under way on it. I thank the petitioners for their hard work and their efforts.

The Deputy Presiding Officer: I call James Kelly to close for Labour.

16:05

James Kelly (Glasgow) (Lab): I thank the petitioners, Scott Robertson and Willie Smith, for continuing to pursue the issues in the petition over a period of 10 years. I also thank the committee for the work that it has done on this important issue. We just need to go back to last Thursday to see how important football is in Scotland. Last week's victory over Serbia gave the country a real lift, which shows the extent to which football reaches out across the country.

Football has a lot of benefits. It brings supporters together, it allows players—amateur and professional, young and old—to participate and it has important benefits for health and wellbeing. It is in that context that we need to stress the importance of looking after the wellbeing of our younger football players.

Against that backdrop, it is a real concern that we are still talking about the issues in the petition 10 years down the line. The reality is that they have been going on for much longer than when the petitioner brought the issue forward. It is shocking to think that young kids are exploited and not even paid the minimum wage by some of the football clubs that are well off, to say the least. The committee heard extensive evidence about that.

The registration system that Liam McArthur spoke about and the way in which clubs tied young players into registrations is unacceptable. It is unacceptable that young people at such a vulnerable age should be treated that way.

David Stewart also identified the issue of compensation payments. As one of the people who gave evidence to the committee said, compensation payments created something that was almost like a transfer market, which is an unacceptable way for clubs and players to be dealt with.

All those issues show that, as Gail Ross said in her opening contribution, the balance of power is all wrong. The balance of power rests with football clubs and, for too long, young players have not been treated properly.

The issue that the committee brings to the Parliament is this: after 10 years, what do we do now? There are two sides to it set: the football authorities and the Government. As Brian Whittle and Kenny Gibson said, there has clearly been an unwillingness on the part of the football authorities—the SFA and the SPFL—to take any responsibility. When it all goes well and we qualify for a major tournament, it is all very well for the football authorities to take all the plaudits, but when we have these fundamental issues at the grass roots of the game, they fail to address them. They have just ignored such issues over a long period of time, and that is simply not good enough, as was highlighted by the children's commissioner.

The children's commissioner also turns to the other issue of what the Government should do about this. Willie Coffey applauded the petitions system and said that it was great that people were able to bring such issues to the Parliament, but the fundamental question that we have to ask is what the Government and the ministers are going to do about it. I am sorry to say that I found the minister's opening remarks inadequate. When Johann Lamont intervened, the response was that the Government will consider the issues and think about it. We have had 10 years for all that, and we need to know what the Government is going to do.

There are two things that the minister should do. First, he should use his leverage. When I listen to the sports news, I constantly hear reports about how the football authorities have another important meeting with Joe FitzPatrick. The minister has got their ear and he should get them to act on these issues, for goodness' sake. Secondly, the minister should set out what regulations and legislation the Government is going to introduce. It is a scandal that the issues have been going on for so long and that our young people have been so badly treated. As a Government and a Parliament, we will be letting them down if we do not take the issues

identified in the report to do something about them.

16:10

Maurice Corry (West Scotland) (Con): The Scottish Conservatives welcome the report that was published by the Public Petitions Committee and we support its recommendations.

As a member of the Public Petitions Committee, I am pleased to speak in the debate. The petition has certainly stood out in terms of the wide-ranging issues that it has raised and which the petitioners have sought to address since 2010—some 10 years ago. I hope that the publication of the committee's report will go some way to encourage further action, including the implementation of the recommendations, for the sake of young players who deserve the opportunity to succeed. For many young people, particularly in Scotland, football is a passion.

The petition has shone a spotlight on the importance of protecting young people in their pursuit of football in Scotland. It has presented the Public Petitions Committee with important and extensive issues in the SFA that have been explored carefully and sensitively by past members of the committee and by the clerks. I would like to join my colleagues in thanking the clerks for all their hard work in organising and collating submissions, reports and letters for the committee. Moreover, I thank all those who took the time to submit written evidence or give oral evidence. That evidence has served to explain and detail the processes and policies underpinning youth football clubs in Scotland, which has revealed many things and has been most appreciated.

I join my colleagues in welcoming the committee's report and its recommendations. I welcome the support for the report from children and young people, too.

Steps have been taken in more recent years to update and improve the youth football system, for the purposes of greater clarity and enhanced security for young people. The SFA's creation last year of the wellbeing and protection department and its accompanying strategy is a welcome move—not before time. I hope that that will, in practice, promote the highest safeguarding standards, transparently and across every level.

Moreover, I recognise that the youth football working group will help to ensure that young players are no longer prevented from joining school football teams as well as their club—although the committee feels that compliance needs to be checked regularly to ensure that that is applied across the board.

Further checking has also been recommended in relation to minimum wage rules. There have been reports of failings on the part of some clubs to pay their players the minimum wage—as has been recognised in the debate. I know that the SFA has worked to target the issue systematically, but it needs to do an awful lot more work. More frequent inspections of player contracts could enforce that more strongly. The SFA needs to address that.

The lack of clarity surrounding player registrations has been of particular concern to the committee. It is understandable that youth players and their families might be under the impression that the registration process is, in effect, the same as signing a contract. Even if it is not, in reality, an employment contract, the power of a club in holding a youth player's registration leaves the player without some control and agency in following through their own decisions. We have talked about the power balance again this afternoon—it must be changed.

That is also the case with the questionable three-year registration period for over-15s. With rolling annual registration, young players face uncertainty at the hands of their club, which has the authority to keep a young player's registration, therefore restricting them to an amateur level and not allowing them to progress. That has risked preventing young players from pursuing their dreams with professional clubs. The real worry is that that can hinder their development and limit their potential.

I welcome the SFA's announcement earlier this year of a working group to review such rules for that age group. However, I am well aware that the last review, undertaken five years ago, has resulted in no meaningful change to date. As a member of the Public Petitions Committee, I hope that the next review will consider adapting the registration process to bring greater clarity and much-needed balance. The SFA and the SPFL should take cognisance of that.

In conclusion, I share my colleagues' frustration at the slow—and perhaps reluctant—pace of change in youth football procedures in the SFA. Young people surely deserve greater protection and agency than they have had in the past. For that to happen, the Scottish Government must make decisions on how independent oversight can take place, and I look forward to hearing greater detail on that. External oversight may be the best way to ensure that safeguarding standards continue to be met consistently, and that any concerns that may call into question a young person's wellbeing are fully resolved.

Finally, I say a big thank you to Willie Smith and Scott Robertson for bringing the petition to the

Scottish Parliament 10 years ago, and I commend them for doing so.

16:15

Joe FitzPatrick: The debate has emphasised how important football at all levels is to Scotland. As members' contributions have highlighted, most of us are football fans and we all want our national game to flourish. I thank Willie Coffey in particular for his helpful contribution, which was grounded in a deep understanding of the game at all levels.

It is evident from all the comments that we all want our national team, and clubs at all levels, to succeed. It is interesting that people sometimes talk about Scotland's football clubs as being professional clubs and sometimes talk about them being community clubs. In general, the community club is your club; the professional clubs are the other clubs. All our clubs are important to our communities, whatever size they are: from the Rangers and the Celtics right down to the amateur game and the women's game. All those clubs play a huge role in communities across Scotland, and we all want them to succeed.

I think that those ambitions are compatible with safeguarding the fundamental rights of the child and protecting their welfare and human rights.

Neil Findlay (Lothian) (Lab): The minister might recall the battle that we on the Health and Sport Committee—I am not sure whether he was involved with the committee at the time—had with the SFA regarding child protection measures. The SFA was very reluctant to take responsibility and act on that issue, and it tried to pass the buck to other people. What confidence can we have in the SFA taking the issue seriously and bringing about real change now?

Joe FitzPatrick: I thank Mr Findlay for his question, because it is an important point. I was not in the health team at the time that he mentioned, so I do not have the direct experience of the matter that he has had.

The SFA personnel have changed since those days, so I can talk only about the people with whom I have recently had close relations—in particular, the president, Rod Petrie, and the chief executive, Ian Maxwell. I have confidence that they, and their colleagues at all levels in football, really care about the game and its importance to young players.

I also have confidence in the process that we have said that we will take forward, which I mentioned in answer to Johann Lamont's intervention. The children's commissioner is in the process of convening a meeting between ourselves, the SFA and the petitioners, and my hope is that, by taking the matter forward in that

way, we will ensure that there is no buck passing. With everyone around the table, we can move forward with the clear intent of listening carefully to the contributions that have been made in the chamber today and looking at the findings from the Public Petitions Committee's 10 years of work. That is all really important, and it is important that we move the process forward in partnership and in a collegiate way.

The message that the rights of the child are important has come across loud and clear from members on all sides of the chamber. Let me be clear: as I said earlier, the welfare of the child is paramount, and there is complete consensus across the chamber on that fundamental point.

The football authorities and clubs are ambitious for on-field success. They want to develop the very best players, and children will do whatever they can to pursue their dreams, as many folk have discussed, even if the odds of making it are tiny.

Rachael Hamilton spoke about the disappointment of a player not being selected, and that can be heartbreaking. People are often involved in sport because they want to succeed, but it is imperative for all competitive sports to ensure that people's experience is positive, even if they are not able to join that tiny percentage who go on to the elite level of the sport, as Brian Whittle said.

As I said earlier, we need to strike a balance—one that safeguards the child and encourages clubs to invest in and develop the next generation of Scottish stars. That is not an insurmountable problem. We have strongly emphasised to the Scottish FA and the SPFL throughout this period that the concerns about the issue that have been expressed over the past 10 years and which are reflected in the committee's report must be taken seriously.

Liam McArthur and Rachael Hamilton both mentioned the minimum wage. That is a matter for the UK Government, and it is the responsibility of HMRC to implement UK law relating to clubs and their wage structures, but that does not take away responsibility from the Scottish Government or from the SFA and SPFL. The SFA and SPFL both strongly encourage best practice across Scottish clubs, and I understand that the issues that have been raised in the past have been resolved. I encourage any players who still have concerns to contact their club, the SPFL and the Scottish FA. It is important for us to recognise that professional football players have a union, PFA Scotland, which is also able to assist.

I apologise—I am running out of time. David Stewart spoke about legislation, and it was a really important point—

The Deputy Presiding Officer: I am afraid that you do not have an awful lot of time for Mr Stewart. It would have been nice to have heard it, but you have run out of time.

Joe FitzPatrick: Apologies. I think that the most important—

The Deputy Presiding Officer: No—I gave you time for the intervention that you took, minister. Thank you. It is cruel, but it is just.

I call the convener, Johann Lamont, to wind up for the Public Petitions Committee.

16:22

Johann Lamont (Glasgow) (Lab): Thank you, Presiding Officer. I hope to benefit from your justice, not cruelty—but we shall see.

I am very proud to have the opportunity to sum up what has been a really important and substantial debate. I thank the committee's deputy convener for so ably laying out the case that the committee has made, and I thank the committee clerks, who brought together such a wide range of issues into a coherent whole, which I think represents an important piece of work that we want to be taken forward.

I am conscious that, as convener, I am slightly more constrained in what I can say—which is unusual—but I might drop a note to the minister later about what he said about going “down” to the women's game, although that is perhaps for another time.

I am struck by the extent to which members across Parliament agree that the issues are important not just for the footballing authorities, but for the Scottish Government. There have been some challenging speeches—for the footballing authorities and the Scottish Government—and both I and the committee, I am sure, trust that everyone will rise to that challenge.

We understand the role of football in our lives, and I profoundly believe that football at local and youth levels, along with sport more generally, will have a critical role to play, as we come out of the Covid crisis. I do not think that it is possible to overstate how important that is and how important it therefore is that we support football at local level to do that job.

The petition is driven by the desire to ensure that young people can enjoy playing football at whatever level, without becoming a by-product of commercial interests—so that, in searching for the elite, we do not abandon those who simply want to play the game. That is our challenge. Whether we are talking about a star who has come through the youth system or someone who simply wants to take part on a non-professional basis, protecting

the rights and welfare of children and young people must be the number 1 priority. As Liam McArthur said, that must not be just a box-ticking exercise.

The petition predates my time as convener and is, indeed, the longest-running petition, as has already been said. I want to say clearly that that is not because of some kind of committee lethargy; it is because successive committees have recognised the significance of the issues. If there has been lethargy anywhere, it has been among those who refuse to take responsibility, as Brian Whittle mentioned, and among those who, as David Stewart said, have refused to show any degree of urgency when these matters have been raised with them.

The petition has also survived because of the energy of the petitioners, who have taken the word “persistence” to a new level. I am proud that Parliament has been able to respond to that.

The minister said that the issues are complex, but they are actually simple. There is a fear that we were, and are, witnessing a willingness by football clubs and the authorities to trade on the dreams and ambitions of young people and of those who care for them, and to encourage people to be complicit in their exploitation. That is unforgivable.

The committee has observed a huge power imbalance between football clubs and the young people who aspire to play for them. The committee is surprised that this must be said: young people under 16 should not be expected to sign exploitative multi-year contracts, and they should expect to be paid at least the minimum wage for their work. Everyone should be responsible for compliance with the law. The system for reimbursement of training costs should also be changed so that compensation is required to be paid only when a player signs their first professional contract.

All that seems so obvious, yet it has taken years to reach the point where it is recognised. I had expected that the Scottish Government would by now have the clear view that it supports the recommendations. I have heard what the minister said, but it is essential that the offered meeting must be on the understanding that the Government will look at how the recommendations can be taken forward.

There has been progress, but people should be aware that there have been claims of progress in the past. That has also been mentioned.

We have been concerned that the football authorities might try to sit out many of the issues that were raised in the petition until our work was concluded. If that was their strategy, it has not worked. I know that our work will continue.

James Dornan made an important point about wellbeing committees. The committee does not know whether those groups are effective. If progress is being made, it is essential that that matter be interrogated to see whether it is making a difference. I am confident, based on what the minister said, that the Scottish Government does not intend to sit this one out.

Willie Coffey said that football is reluctant to see the Government intervening. That should not be necessary. The petition has shone a light on unacceptable practices in football. There is recognition, as Mr Coffey said, that the time is up.

We should also note the role of the Children and Young People's Commissioner for Scotland. The commissioner has now engaged with the work and has provided the committee with an important briefing. The committee was critical of the view of the children's commissioner, so we should recognise that progress.

We should also see the work in the broader context of safeguarding. As Neil Findlay highlighted, the Health and Sport Committee took that forward. The Public Petitions Committee wishes to highlight a number of points. There are questions about responsibility, accountability and the imbalance of power, and about seeing the matter in the broader context of safeguarding young people. It is not sufficient to say, "But we all love football," as our answer to those questions. We have a responsibility to ensure that our football teams progress, but we also have a responsibility to ensure that, at their heart, football clubs and the football authorities understand their responsibilities.

The committee will look forward to having early sight of the work that the Scottish Government and those groups will do as they come together. I urge the minister not to wait until the crisis is over, but to use technology to have a meeting now, to ensure that the important work that has been identified by the Public Petitions Committee, and which has also been recognised in Parliament and beyond, can progress. Our young people, more than ever, are relying on that.

The Deputy Presiding Officer: That concludes the debate on improving youth football. There will be a short pause before we move to the next item of business.

Coronavirus (Scotland's Strategic Approach)

The Presiding Officer (Ken Macintosh): Before I call the Cabinet Secretary for Communities and Local Government, Aileen Campbell, to open our debate on Covid-19, I thought that it would be helpful to clarify what the Parliament will be asked to agree to this evening.

Today's debate is part of a package of enhanced scrutiny measures to which the Bureau has agreed, to give members an opportunity to scrutinise the changes that the Scottish Government proposes before they come into effect. The debate therefore allows Parliament to debate and then express its views on what is proposed. It is not, however, a decision on whether to approve regulations.

Following the debate, it will be for ministers to decide whether to go ahead and make the regulations as proposed. The Parliament will then have an opportunity to scrutinise those regulations through the usual procedures for statutory instruments. I hope that that clarification is of assistance to members and to our constituents.

The next item of business is a debate on motion S5M-23416, in the name of John Swinney, on coronavirus: Scotland's strategic approach. I invite all members who wish to contribute to press their request to speak buttons.

16:31

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): Today's debate offers an opportunity for Parliament to debate the outcome of the second review of Scotland's strategic framework on Covid-19. As Parliament knows, the review takes place every week and considers a range of data as well as local knowledge and intelligence on Covid in our different communities.

Those reviews seek to manage the prevalence of Covid-19 in such a way as to drive infections to the lowest possible level and keep them there, while mitigating the other health, social and economic harms that Covid, and the restrictions that are required to protect us from it, can cause.

The First Minister set out the details of that review on Tuesday. Those measures are difficult but necessary. Alongside that review, the Scottish Government published a statement of reasons that explain each decision, and an evidence paper for each local authority. The First Minister also explained that, in making our decisions, we do not just consider the prevalence of the virus in this week or next, but the expected prevalence of the virus in January and February, particularly in

relation to the capacity of the national health service to support Covid patients, as well as to the usual winter pressures.

Before I set out the rationale behind the decisions, I wish to underline how aware we are of the significant consequences of those measures for local businesses, communities and Scotland as a whole. Those decisions are not taken lightly—nothing about this situation is easy—but those steps are necessary and based on careful consideration of the data and analysis.

This week's review found that the picture across Scotland is improving, but that numbers are still high and that progress is slowing. Overall, the situation remains fragile, with as yet no sustained evidence that we are changing the course of the pandemic. Our cautious approach reflects the fragility of the situation that we face.

Willie Rennie (North East Fife) (LD): I am sure that the cabinet secretary will soon come to the issue of travel restrictions. I received notifications today from TUI, the travel agents and tourism company, that say that it is carrying on with its package holidays to the Canary Islands, even though many thousands of people will be unable to get to the airports because of the travel restrictions. Are there any measures, or discussions with the foreign office, to try and resolve that issue?

Aileen Campbell: I know and recognise how difficult the issue is. We encourage people to ensure that they discuss the matter with whoever they bought their package from. We have made the point for some time that people should not travel unnecessarily.

People should engage with their travel operators. We know that decisions have been taken around some flights—which include TUI flights—in particular airports and we stress that it is important that people do not travel unnecessarily and ensure that they engage with whoever their provider is. Willie Rennie's point is well made and it is one that we recognise. We can continue to engage with him on the issue and I thank him for raising it.

East Lothian and Midlothian have seen consistent positive trends, and the indicators at the time of the review suggested that, if progress is maintained, level 2 would now be appropriate. The move down to level 2 will take place on 24 November, which gives businesses and local authorities time to put in place measures to ensure that they can stay at level 2, or continue towards level 1, rather than experience a rise in cases following the loosening of restrictions.

Although other areas have shown a stabilising of case numbers, we took the decision this week that it is not currently possible for other local

authorities to move down a level. However, I hope that the decisions on East Lothian and Midlothian show that that can happen.

The areas that are moving to level 4 are Glasgow City, East Renfrewshire, Renfrewshire, East and West Dunbartonshire, North and South Lanarkshire, East and South Ayrshire, West Lothian and Stirling. Two of the indicators that inform the review are projections on hospital and intensive care unit beds, and most of the areas that will move up to level 4 tomorrow are projected to exceed capacity in the next six weeks. That issue, coupled with the current slowing rate of decline in case numbers, is of concern. Therefore, the clinical and public health advice was that there was a need to do more to drive the virus down.

Of course, another reason for wanting to see faster progress is the upcoming festive season. I am sure that, like me, people across Scotland want to spend time with friends and loved ones. We want to do everything that we can to make that happen, but to do so in a safe way.

Pauline McNeill (Glasgow) (Lab): Will the cabinet secretary explain why it is fair that people living in Parkhead in Glasgow who have a holiday booked to see their loved ones cannot travel due to the restrictions that have been announced, but those who live in Renfrewshire can travel?

Aileen Campbell: Essential travel is permitted, and there is a list of exceptions to the restrictions. I assume that Pauline McNeill is talking about travel to the airport. The point of the restrictions is to restrict travel to prevent transmission of the virus. Only essential travel is permitted, and there is a list in the regulations that sets out essential reasons for travel that mean that people are exempt.

We accept that it is tough, but we will continue to make sure that, after the three weeks, people can—*[Interruption.]* Forgive me, Presiding Officer, I am trying to answer the question, but there is a lot of chat going on in the background.

We are trying to make the best of the situation. We know that it is difficult and will impact on people. However, after the three weeks, it will be over, and we hope that we all emerge into a position in which the case numbers are going down, rates are lower, and people can enjoy one another's company and meet up with friends and family. We know that it is really tough, but the purpose is to keep people safe and to ensure that, when people can meet up, they can do so in a safe way.

Level 4 protective measures are designed to be in place for a short period to provide a short, sharp response to quickly suppress the virus. The changes to protection levels will come into effect at 6 pm this Friday 20 November and will likely

remain in place for three weeks. Ahead of those three weeks coming to an end, we will make clear what levels those local authorities will move into. We are engaged in four-nation discussions to consider, if the prevalence of the virus permits, what might be possible over Christmas time.

Before talking about travel, I will say a quick word about the role of local authorities in the process. Although the First Minister has been clear that decisions sit with the Scottish Government, it is important that the framework is delivered in partnership with local authorities. Ahead of each review, the Deputy First Minister and I engage with local authorities to take their views, and officials engage on the actions that local authorities are taking. We thank them for the positive approach that they are taking.

A fundamental component of any approach that allocates areas to different levels is limiting migration of the virus from areas of high prevalence. That is a key part of the approach that the World Health Organization advises in order to prevent the importation of the virus from areas of high prevalence into areas of low prevalence. Consequently, limiting non-essential travel is an essential element of that approach. We have already asked people not to travel in and out of local authority areas that are in level 3 or 4, which includes not travelling between level 3 or 4 areas. With local authorities now ranging from level 1 to level 4, it is our view that such steps are essential at this time. For that reason, we are introducing regulations to put the rules into law from tomorrow, Friday 20 November. As with all such measures, they will be kept under review.

Liam Kerr (North East Scotland) (Con): The example in Willie Rennie's question was about people going to the Canary Islands on holiday. If someone is out there already and is not due to return until Monday—to Glasgow airport, for example—what do they do then?

Aileen Campbell: They need to come home and, if wherever they have come from has incurred a period of quarantine, to stay at home and stay safe. Again, we will set out all those things in far more detail. In essence, the regulations are about trying to stop the transmission of the virus. It travels really easily. Given the prevalence that we have set out, it is now essential that we put in place these restrictions to prevent that from going higher and making the difficult winter period even more challenging.

As I have said, the travel restrictions are difficult but necessary. If people travel from one area to another, in order to avoid restrictions on hospitality or non-essential shopping, there is an increased risk that the virus will spread. There are of course exemptions for those who have formed extended

households, for caring responsibilities, for work that cannot be done from home, and for care home or hospital visiting. There are also exemptions for essential shopping and exercise, if people need to cross out of their local authority area to do those. If parents live apart, children can continue to move between their homes. We will ensure that students can return home at the end of term, supported by a testing programme.

Although, in line with all Covid regulations, the regulations can be enforced by the police, we want to see the new laws working through high levels of public compliance. As we know, people recognise that when guidance becomes law, its importance is underlined. The dramatic increase in the numbers of people wearing face coverings when that was put into law demonstrates that fact. We are confident that people will recognise the importance of minimising travel as much as possible, for everyone's safety, and that they will not see exemptions as loopholes.

Our approach to travel also addresses the risk of importing or exporting the virus by travel between Scotland and the rest of the United Kingdom and Ireland, in the particular context of the volume and nature of travel across the common travel area. The regulations will prohibit non-essential travel between Scotland and England, Wales or Northern Ireland—just as our guidance has done—while prevalence in those countries is high. They will also apply to the Republic of Ireland. The same exemptions apply to such travel as they do to travel to and from level 3 local authority areas in Scotland.

It is worth remembering, in the light of the Labour amendment, that Scotland is not alone in restricting unnecessary travel within or across its borders. The Welsh Government has legislated to ban non-essential travel into or out of Wales, including overseas travel, and has regulated travel within Wales. Regulations that restrict or ban domestic travel without a reasonable excuse are currently in force, in different forms: in England, through a requirement to stay at home; in Northern Ireland, through a requirement to stay at home overnight; and in the Republic of Ireland, at present, through a stay-at-home requirement and a prohibition on inter-county travel in its level 3 and 4 areas.

For international travel more generally, the border quarantine regulations will continue to apply. All international travellers who come to Scotland from outside the common travel area are required to provide contact details. Those from areas that present a greater risk are required, on arrival, to self-isolate for 14 days. Where there is a clear risk to public health, for example in relation to travel from Denmark, we have taken further action to restrict international travel.

For residents of level 3 and 4 areas, the guidance—and, from tomorrow, the law—is that leaving their local authority area for a non-essential reason, such as a holiday, is not allowed. That applies to holidays abroad just as it does to holidays in Scotland or elsewhere in the UK. That should not come as a surprise to anyone. More generally, for Scottish residents, we have strongly advised against all non-essential overseas travel for a number of months now, and have pointed out the risk that people may need to self-isolate on return, given that the status of countries on the quarantine exemption list can shift at very short notice. That advice remains in place.

We know that it is hard, and we want to help people and businesses to come together, as the winter season is fast approaching. That is why we have recently announced that we are making an additional £30 million available to local authorities, to support businesses over the coming months. We are also setting aside additional funding worth up to £15 million for newly self-employed people.

I recognise the importance of supporting people to self-isolate, and the key role that test and protect plays in controlling the spread of the virus. That is why we are happy to accept the amendment from the Scottish Green Party, and will further develop proposals for additional support to overcome barriers to self-isolation. Unfortunately, however, we cannot accept the amendment that has been lodged by Labour; I have outlined today why the travel regulations are necessary if we are to avoid national measures, which nobody wants.

The strategic framework's flexibility in enabling different regional approaches allows us to be responsive and to prepare for the peaks of demand that our hospitals and health services may face—which may not fall evenly across the country. We need to support and protect our NHS and all the hard-working front-line staff of whom we have asked so much already and to whom we are so grateful. This is always a busy time for health and care services and this year it comes with the added challenge of a resurgence in Covid-19 infection rates; that is why it is imperative to drive down the rate of infection in time for Christmas, and in time for deepest winter in January when our NHS is traditionally tested the most.

The Cabinet took difficult decisions this week to move 11 local authorities into level 4; they are intended to suppress the virus to the lowest level possible, not only to increase the possibility of being able to enjoy Christmas with our family and friends but to do everything in our power to prevent the NHS from becoming overwhelmed with Covid-19 cases at its most difficult time of the year. I hope that that sets out some of the

rationale, and I look forward to contributions that members may wish to make and to continuing engagement as we navigate a path through this challenging time for the country.

I move,

That the Parliament agrees the measures set out by the Scottish Government on 17 November 2020 under its Coronavirus (COVID-19): *Scotland's Strategic Framework*, and notes that the regulations implementing these measures will be laid in Parliament.

16:45

Donald Cameron (Highlands and Islands) (Con): I will make the position of the Conservatives clear at the outset: we accept the general thrust of the new restrictions, regrettable as they are. However, as the Presiding Officer pointed out, this is a debate on the wider general approach to the restrictions and not on the actual regulations. We reserve our position on those regulations, which will come before two parliamentary committees and the chamber in the next few weeks, especially because they were published in draft only a few hours ago and we, and others, need time to reflect on them. That important proviso is particularly pertinent when it comes to the ban on travel, on the application and enforcement of which we have serious reservations. Nevertheless, this is a debate about the wider measures and the general approach to restrictions, and we approach the debate in that spirit.

Moving on to the substance of the debate, I welcome the opportunity to debate the announcements that were made on Tuesday. I note that, although some welcome progress has been made in beating the virus, it is abundantly clear that there is still a long way to go. Nevertheless, the news of potential vaccines in recent days has been extremely encouraging, offering a glimmer of hope in these dark days that there is a way out of the crisis. I note yesterday's comments from the Department for Business, Energy and Industrial Strategy that the UK has secured access to 355 million doses from seven different vaccine developers, which is more per head than almost any other country, and we heard earlier today about the Scottish Government's plans for vaccination delivery.

The announcements also highlight the importance of keeping the virus at bay as best we can to get through the next few months. All of that is welcome news, and it shows that, although there are still challenges ahead, there is increasing light at the end of tunnel. However, Tuesday's announcements also provided a stark reminder that we are not out of the woods yet, and I acknowledge the deeply distressing news that the death toll from Covid-19 will surpass 5,000

people. Although that is a concerning number in and of itself, much more importantly it represents individual lives lost and the sorrow felt by the grieving families and friends of all those who have sadly succumbed to this awful and deadly virus. As ever, on behalf of the members on the Conservative benches, I express our deepest sympathies to those people.

We continue to pay tribute to our excellent front-line health and social care workers, who put themselves at risk to save lives. As I said, we note all the new measures that were set out this week under the strategic framework. As Ruth Davidson said on Tuesday, if the evidence points to an essential calculation of accepting three weeks of level 4 restrictions in some local authority areas in order that the prize might be an easing of restrictions over Christmas and new year, regretfully, we would accept that at face value.

Elaine Smith (Central Scotland) (Lab): Given that the travel ban that criminalises people comes into force tomorrow night at 6 o'clock, could Donald Cameron tell us what other opportunity the Parliament will have to vote against it?

Donald Cameron: As I said, the Parliament agreed the process of emergency legislation in spring this year. Two committees of Parliament will have the opportunity to interrogate that legislation and the whole chamber will have an opportunity to vote on it.

We welcome news of further financial support for businesses that are affected by the new measures, although the Scottish Chambers of Commerce has said that more support is needed, as the grants that are currently available “do not scratch the surface”.

We have several concerns, which the Scottish Government has not yet adequately addressed. We are worried that some new measures have been brought forward with little to no explanation for the people who will be affected by them or required to enforce them.

We recognise the necessity of preventing the spread of the virus between local authority areas with high rates of transmission and those with lower rates, but the news about travel restrictions between local authorities and between Scotland and England is concerning for many, especially those who live on or near the border.

The Scottish Government announced those new measures on Tuesday and, as has been pointed out, although they come into force tomorrow, there remains a wide degree of uncertainty as to how they will work in practice. People who live and work in communities that are on or close to local authority boundaries—or the border between Scotland and England—urgently need greater clarity on whether they can travel to a

neighbouring authority for work or essential shopping or to see family. More crucially, the police need to know what powers they will have to enforce those measures and what additional support will be made available to them.

We are also concerned about the impact of level 4 restrictions on businesses, especially those that operate in retail and hospitality. Businesses in those areas are rightly worried about the impact of being closed for a three-week period, and we share those concerns. In particular, in the run-up to Christmas, the retail industry is understandably anxious. On Tuesday, the First Minister called level 4 restrictions “short and sharp”, but shutting down retail and hospitality businesses during the busiest trading period of the year will be seen as nothing less than cataclysmic.

The Confederation of British Industry Scotland has described the measures as

“a body blow for businesses across many parts of Scotland”,

and the Scottish Licensed Trade Association said that

“there will be many operators who will now be seriously considering if their businesses have a future at all—that’s how serious the situation is.”

David Lonsdale from the Scottish Retail Consortium said that the introduction of level 4 restrictions in the 11 local authority areas

“will flummox retailers who have jumped over every hoop asked of them.”

We have great sympathy with that view, not least because of the inevitable knock-on effects on jobs.

In addition, we have not yet heard the justification for maintaining a level 4 lockdown for three weeks, and the Scottish Government has not shared any evidence as to why that length of time is required. Will it commit to that three-week time span as an absolute maximum period and enshrine the end date in law?

At this juncture, it is worth remembering that many of the areas that moved from level 3 to level 4 have been living under restrictions for a long time already. Glasgow, East Renfrewshire and West Dunbartonshire have had a ban on household mixing since 1 September. That is more than two and a half months, and people who live in those areas deserve to know why the ban has lasted so long.

The SLTA also noticed that, despite many pubs, bars and restaurants being closed in five local authorities in October, case numbers have barely improved in those areas. Those are all measures that we were told were necessary to reduce transmission but that do not yet appear to have had a significant effect. For the public and business to have confidence in those measures,

the Government must publish the full scientific advice that backs up the need for those measures.

It is also clear that insufficient consultation has been carried out with businesses that will be directly affected by the changes. That is why, in our amendment, we reiterate our call for the creation of a business advisory council, so that business leaders can work with Scottish Government officials on the setting and introduction of new restrictions. In the same spirit, we remain of the view that bringing forward new measures with barely a few days' notice is not fair on already struggling businesses. That is why we are also calling on the Government to create a minimum "one-week adaptation period" for businesses between the announcement and the introduction of restrictions. Those are simple measures and entirely reasonable requests that would go a long way to giving businesses more confidence during this difficult period, when many are struggling to keep their heads above water.

We understand the need to move rapidly to control the spread of the virus, but, although we broadly agree with the new measures that have been announced, we believe that more clarity is needed going forward. On travel restrictions, the public need to know what they can and cannot do, and the police need to know what enforcement actions they can take. On business restrictions, retail and hospitality firms need greater support. Above all, the Scottish Government needs to engage better and produce evidence for its decision making.

16:54

Richard Leonard (Central Scotland) (Lab): Tomorrow marks eight months to the day since the First Minister told the people of Scotland that we were facing

"the biggest challenge of our lifetimes".

Ever since then, the people have made enormous sacrifices for the sake of suppressing the virus and in the hope of a return to better days. However, 244 days on, there is evidence of behavioural fatigue. More than that, there is growing frustration because people, including business owners and workers, are struggling to see that their compliance is having an effect. Therefore, my first point is that the Government needs to be better at showing the evidence of the effect.

As I reminded the First Minister in Parliament two days ago, if the Cabinet's decision about which tier each local authority area is to be placed in is a judgment, as she tells us it is, and if

"judgment must combine with the hard data",—[*Official Report*, 10 November 2020; c 20.]

as the First Minister says it must, then the First Minister must explain to the people, including those in North and South Lanarkshire, what the hard data and evidence is for moving them up a tier when the transmission rate is going down.

If the First Minister says to the people of Edinburgh, as she did last week, that, if the number of cases there keeps going down, they will have restrictions lifted and will move from level 3 to level 2, and then the number of cases falls—as it has—it is not surprising that many people are questioning why they remain at level 3. I accept that there are still valid reasons for maintaining or extending restrictions, even if the number of cases is falling, but the Government's failure to routinely publish the evidence supporting those decisions not only obstructs scrutiny by Parliament but is dangerous.

Aileen Campbell: Members will be aware that we routinely publish quite a lot of information. As a genuine question, in among all the evidence and data that we publish and the data that is available from Public Health Scotland, what is it, specifically, that Richard Leonard wants us to publish?

Richard Leonard: I do not want just data; I want proof and compelling evidence that will persuade people that the measures that the Government is imposing are having the effect that they are claimed to be having. That is important for all of us, because the less understanding people have of the rules and restrictions, the less effective those measures will be.

Mike Rumbles (North East Scotland) (LD): I commend Richard Leonard, because in the 21 years since I was first elected to the Parliament I have never seen an amendment from another party that so well hits the nail on the head about what the Scottish Government should be doing to save more lives and livelihoods. I heartily recommend it and I am disappointed that party politics might intervene to have the amendment voted down when the whole Parliament should support it.

Richard Leonard: I welcome Mr Rumbles's support and agree with him that the arguments go beyond party politics.

Let me reflect on what happened earlier this week, when the Cabinet Secretary for the Constitution, Europe and External Affairs—a very intelligent man, by all accounts—told an incredulous public and a disbelieving committee of the Parliament that international travel will not be illegal, so people can sail off and fly off, but they cannot drive or take a bus, tram or train to get to the airport. That is not common sense; it is nonsense, and the Government knows it. [*Interruption.*] No, I will not give way. I have given way twice.

This morning, I heard from Bruce Lamond, who runs a travel agency in Kirkcaldy. He is aghast at the new travel law, as well as at the ambiguities spread by ministers in the past few days, and the confusion and losses that it will cause him and his clients. Bruce last received money from travel companies on 1 March, but he was unable to furlough his staff because he needed them to deal with cancellations. He told me:

“Changing information on travel, safe corridors, no airport testing, quarantine laws, effectively stopping all October travel—this basically lost us any income we may have had this year from February!!”

Therefore, my next call to the Scottish Government is this: if the health measures are proportionate, will the Government introduce proportionate economic measures to protect jobs, businesses and public services?

Last week, I made a call—supported by Parliament by a slightly larger majority than I anticipated—for additional support for businesses and workers, especially in hospitality and tourism businesses. That is the will of Parliament. I welcome Tuesday’s announcement of some additional support, but I fear that it will not be extensive enough and that it will not stop people being kept awake at night with worry and anxiety about losing their job or business and how they are going to pay the bills.

We must also remember that the impact of tier 4 restrictions will not be felt equally and that those who have been hit hardest since March will be hit harder still this time round. Let me be clear about this: it is not the case that the poorer you are, the more wayward or feckless you are; it is the case that you are more likely to live in overcrowded housing and to have to go to your place of work than you are to be able to work from home. You are more likely to take public transport to do that, and you are more likely to do so because you have to put food on the table.

We also know that there is a higher rate of cases among black and minority ethnic communities for many of the same reasons. In September, the scientific advisory group for emergencies said that we need to understand the unequal impact of decisions around the pandemic, so we are asking the Scottish Government to carry out equality impact assessments of the decisions that it takes and to publish those assessments.

I will conclude by putting on record once again that the need for the new restrictions that we are debating today is a direct consequence of the SNP Government’s failure to implement an effective test and protect system. The Government’s travel ban looks like a poorly conceived and ill-considered piece of legislation rather than the evidence-based intervention that we need. It risks uneven application and, as a result, uneven

treatment across Scotland; it risks uncertainty that will eat away at the trust of the public; and it risks criminalising people who are understandably confused by a complex, ever-changing system of levels and a constant chopping and changing of Covid-19 rules.

My final point is that we should be pursuing alternatives to criminality, because, in the end, the people should not be criminalised for the failings of Government.

I move amendment S5M-23416.3, to leave out from “and notes” to end and insert:

“on condition that the Scottish Government introduces a programme of mass testing and improves the operation of Test and Protect to contain the virus and prevent the need for further tighter restrictions, withdraws the regulation imposing a statutory travel ban and consults the Parliament on any future regulations.”

17:02

Patrick Harvie (Glasgow) (Green): I already thought that I was likely to vote against the Labour amendment and, after hearing Richard Leonard’s speech, I am now more convinced of that.

I think that it is very clear that the large majority of people inside the Parliament and the large majority of people outside the Parliament deeply regret but recognise the necessity of the restrictions that are being brought in. We need those restrictions to reduce social interactions, which is of huge importance in its own right, but a period of tighter restrictions is of most use if it is used to improve the wider public health response.

The test, trace, isolate, support system needs to continue to be improved, as the Green amendment makes clear. We have long made the case for mass public testing programmes and for an emphasis on person-to-person contact tracing systems, with proximity apps being seen as additional to that. To prevent future infections, however, people who are tested or contact traced need to be supported to self-isolate. It is reported that we have a low level of compliance on self-isolation, and it is clear that much more work is needed in that area.

A one-off £500 grant that is available on a means-tested basis will undoubtedly help some people, but there will be many others who are concerned about not just the immediate cost of self-isolating, but the risk of losing their job and income for the long term. The barriers are not all financial, either. Inadequate or insecure housing, care responsibilities, emotional wellbeing and practical help are among the relevant factors.

The Lancet has shown evidence that suggests that people being asked to quarantine in institutional settings is more effective than their being asked to do so at home. In New Zealand,

people who have to self-isolate and their families can, if they wish, move into an isolation facility, where they will be provided with three meals a day, snacks, wi-fi, laundry services, toiletries and a dedicated healthcare team if they need it—all free of charge.

We need the Scottish Government to provide a comprehensive package of support. In New Zealand, those people also have Covid-related employment rights. The UK Government must act to make available things such as a right to job protection for people on precarious contracts and a more realistic level of statutory sick pay, which should be available for self-employed people, too. Those are the purposes of the Green amendment.

I want to say something about the other amendments, both of which raise serious concerns about issues that are well worth airing. I can agree with much in the Conservative amendment. We have called for the publication of scientific evidence and expert advice as well as clarification of the role of enforcement. I think that most people would expect enforcement to be done with flexibility and expect that we will aim to encourage compliance first and foremost.

Elaine Smith: Labour would support and agree with much of what Patrick Harvie has said. However, does he understand that, the minute we make something criminal, with criminal sanctions attached to it, we make people into criminals? That is the problem. Actually, the travel ban regulations are so non-understandable that people may become criminals without even knowing it.

Patrick Harvie: I do not expect that to happen and I do not agree that making the law in itself criminalises people. It is how the law is applied that is important, and I think that we all want that to be done with common sense.

Still on the Conservative amendment, I note that we have questioned the intention behind having a business advisory council. It seems to me that the desire is not to have a group that would advise on how best to implement public health measures, but to have a group that would lobby against them.

Also, given that we are now in a weekly cycle of reviewing the levels, it would not make sense to me to say that they could not be changed without a week's notice. That was not in the framework that the Parliament approved and I think that it would be wrong to bolt it on now.

As for the Labour amendment, I very much welcome the call for a mass-testing programme—Greens have been arguing for that for months—and improvements to the test and protect system. We need to recognise the need to improve all elements of test, trace, isolate and support.

However, I cannot agree with the idea that we should make approval of the measures today conditional on other action happening after those measures have been put in place. We cannot retrospectively remove the new restrictions if subsequent actions are not put in place by some unspecified future date. Our decision today needs to be clear and unambiguous. I am also not at all convinced that we should oppose the travel regulations.

Looking ahead, people need clarity. I want to mention the particular case of a constituent, who told me:

"I got told we are essential workers. I work for a dairy and I know that the company is essential, but I am a door-to-door canvasser. I canvass for new customers. I don't think I am as essential as the rest of the business. I don't know why we'd be allowed to go round doors asking people to have their milk delivered and going to different areas if I can't see my family. Some people are even being sent to work in England."

Surely that kind of door-to-door canvassing or marketing by people in an area that is about to move into level 4 cannot be seen as essential work. With the extension of furlough, employers in such situations need to have clarity that they should not be asking people to do things that we as political parties have all asked people to stop doing, such as going door to door and up and down tenement stairs for a non-essential activity.

I have come to end of my time allocation. We all hope that there is light at the end of the tunnel and that it is drawing nearer, but we may well have to endure some restrictions for many months, as well as social and economic hardship, and the need for government at every level to focus on how we can support people through the continued challenges will not end. More likely, that need will only increase over the coming weeks and months.

I move amendment S5M-23416.1, to insert at end:

“; believes that these measures can only be fully effective if the test, trace, isolate, support system continues to improve; recognises that self-isolation poses significant challenges for many people, which the existing conditional self-isolation grant cannot fully meet, and calls on the Scottish Government to develop a comprehensive package of support for self-isolation to ensure that everyone who needs to is able to take this step to protect their community.”

17:08

Willie Rennie (North East Fife) (LD): Most of the indicators in the new level 4 council areas have not been breached. In fact, all but one has infection rates in decline. The infection rates and projected rates all fall below the indicators. Only two councils breach the test positivity rate. The indicators were supposed to give people fairness, hope and clarity that, if they did the right thing,

measures would be eased. Through their sacrifices, the virus has gone down, but the level of restrictions is going up, and it is going up through the lack of adequate hospital capacity. That capacity is under threat, even when the infection rate in the community is lower than was expected in the strategic framework.

Advances in medicine and care have helped to secure better outcomes for those who catch the virus. One would expect that to ease the pressure on the NHS, but that is not happening. I would like an explanation of why the strategic framework is flawed. Its indicators are not in alignment with each other. Why has the NHS not built up the capacity to be able to cope? Why have the new treatments not helped to ease the pressure? We need clarity on those important questions. There are big questions about why we are moving council areas into level 4 when the rate of infection in most of them is going down.

As Liberals, we prefer encouragement, rather than the heavy hand of the law. The new travel ban makes us concerned, but we appreciate the police's light-touch approach to the pandemic laws and the indication that they will adopt the same approach to the travel restrictions.

Putting restrictions in law makes it clear what people are expected to do, so I am concerned about the message that we would send if we supported Labour's amendment. We have not proposed a travel ban in law, but rejecting it might indicate that people can travel freely around the country again. It is important to recognise that how we vote in the Parliament sends a message across the country. We will not vote for Labour's amendment. *[Interruption.]* I will not take an intervention just now. However, we want a clear indication that the travel ban will come to an end on 11 December.

We also need urgent clarity on international travel. I heard what the minister said earlier, but I would like more detail, perhaps in the summing-up speech. It is a nonsense to ban travel to airports, but permit travel abroad. That really matters. Despite the advice on holidays, people have been permitted to go on them, and those with long-booked holidays will have no route to secure repayment from airlines unless that restriction is changed. That has been managed in England, so why can we not manage it here?

From Friday, most people here will be in lockdown, just like people in England. Unlike others, I will not misuse the words of Dr Nabarro of the World Health Organization. He said:

"We in the World Health Organization do not advocate lockdowns as the primary means of control of this virus. The only time we believe a lockdown is justified is to buy you time to reorganise, regroup, rebalance your resources,

protect your health workers who are exhausted, but by and large, we'd rather not do it."

We in Scotland have had that time already. In the summer we had a respite as a result of the additional sacrifices that people in this country made. However, we did not use that time well. The Government opposed—I use that word wisely—mass asymptomatic testing. It believed that a negative test would make people relax and ignore the rules, so it felt no need to accelerate the growth of testing and lab capacity.

Thankfully, that belief now seems to have been abandoned. The Government has accepted the value of mass asymptomatic testing and is rushing to catch up. For many weeks, the tracing programme was operating well below the level that the Government believed that it was, and the quarantine spot checks were not meeting the target, so the virus outbreaks were not snuffed out before they could spread, and we are now in a second wave.

Although I have made some criticisms today, I have sought to help and support the Government throughout the pandemic. A national emergency demands that. However, I am concerned that the measures outlined this week might not work and that the infection rates will not go down sufficiently to ease the pressure on the NHS. We might be shutting down parts of the economy and society for which we have little evidence that they are causing the spread. Test and protect cannot tell us where the spread is coming from. To a certain extent, we are working in the dark.

The First Minister has told us that too many people are ignoring the advice and are meeting inside homes. I have one suggestion. I want the Government to consider whether regulated pubs, cafes and restaurants may be safer places to meet in than unregulated homes. If people are going to meet, let us make it as safe as possible for them to do so. I want the Government to take that suggestion away and consider it with its advisers.

I make that suggestion in line with the cautious approach that I have adopted throughout the pandemic. I want people to be safe. Five thousand deaths—that is among the highest death rates in the world—are a sobering reminder of how important the issue is.

I will support the Government motion, but not the Labour amendment. I hope that the Government has listened carefully to what I have said on behalf of the Liberal Democrats.

The Presiding Officer: We move to the open debate. We do not have a lot of time, so I encourage all members to keep to their four minutes, including interventions, where possible.

17:15

Gillian Martin (Aberdeenshire East) (SNP): I thank everyone in Aberdeenshire East, who, through their sacrifices and adherence to the protective measures that the Government has set out, have ensured that the infection rates are levelling out. We remain in tier 2 in Aberdeenshire this week. To be honest, I was expecting that we would be moved up a tier because of some local outbreaks, particularly in the north of my constituency and in Stewart Stevenson's constituency. I trust the decision, but I cannot relax; no one ever should relax.

The Government's framework for decision making is based on clinical evidence, expert advice and a balanced assessment of the risks, in consultation with the local authorities, which know their areas best. As parliamentarians, we are in the privileged position of being able to directly interrogate that evidence and the regular updates from not only the Government but the clinical experts in our health board areas who inform those decisions.

I want to correct some misinformation that has been circulating in the Grampian NHS Board area and that could, I believe, lead to people thinking that our situation is much better than it actually is and consequently putting themselves and their families at risk by dropping their guard. A couple of weeks ago, there appeared to be a theory that the Grampian NHS Board area's Covid infection figures might be increased by the inclusion of positive tests from people who live outwith the area—for example, transient oil and gas workers and patients from other health board areas who are being treated in specialist units at Aberdeen royal infirmary. That very question was put to NHS Grampian board members and clinicians at our regular elected representatives meeting, a week past Friday, by Alexander Burnett. It was a fair question, and they answered that that was categorically not the case and that only data from patients with postcodes in the Grampian area was used to inform decisions on the tier level in the Grampian area.

On the Monday after that very clear explanation from NHS Grampian, the same MSP was on the front pages of newspapers, floating the now-confirmed baseless speculation about how our figures were calculated. Any suggestion that Aberdeenshire or Aberdeen city should be in a lower tier that is based on misinformation or speculation could create a false sense of security among the public. It could cause harm. It would most probably result in a situation in which people were less likely to follow the guidance, and we could end up with spikes that would prompt a tier 4 firebreak situation in which most businesses would have to close and people would be further

isolated. To state the obvious, more people could become ill. No one wants any of that.

What we say as politicians really matters. I commend the tone of Donald Cameron's speech in that regard. People look to us for information, clarity and guidance. Richard Leonard made that point today when he asked the First Minister what she was doing to make sure that people understand the restrictions that come with their area's tier allocation and the new travel restrictions. However, that is not just the First Minister's job; it is the job of us all. We have a duty to share the Government's guidance and to scrutinise and challenge the methodology but, once that guidance is out there, we have to use our platforms to make sure that our constituents know about it.

This morning, I found out that a close relative of mine has tested positive for Covid. We are now getting to the point at which we all know someone who has at the very least become very ill because of Covid.

Thankfully, with each day that passes, every one of the four UK Governments gets better informed by clinical information and experience. We are lucky that every one of those Government leaders trusts the science and uses it to make their decisions. Scotland's strategic framework is Scotland's route map out of this. It is based on science, not political motives. We all need to get behind it to get us safely out of this terrible situation.

17:20

Liam Kerr (North East Scotland) (Con): I will focus my remarks on Donald Cameron's amendment and his call for the Scottish Government to

"provide immediate clarification with respect to new travel restrictions and to detail what powers the police will have to enforce these restrictions",

because from 6 pm tomorrow, existing guidance on moving in or out of level 3 or level 4 areas will become law under regulations that were published a mere four hours ago.

A breach will be a criminal act subject to a fixed-penalty notice of £60, reduced to £30 if paid promptly. I presume that having issued that fine, the police will tell the miscreant to go home, but what happens if they refuse? Perhaps the answer lies in the fact that subsequent breaches would see the fines double, up to a maximum of £960. In serious cases—whatever those are—the criminal could be taken to our massively backlogged courts. Of course, they may not be fined, because if they can tell the police officer that they have a reasonable excuse for entering or remaining in an area, they may continue to go about their

business. There are more than 27 listed reasonable excuses for level 3 and more than 25 listed reasonable excuses for level 4, and as we heard at First Minister's questions, those are non-exhaustive lists.

One can just imagine the anxiety that is being generated for people who are unsure whether their reason for travelling is essential. It will create more distress for people at a time that is already difficult for their mental health, as my colleague Annie Wells will explore. Where all that will end is that, when someone is stopped by the police having perhaps crossed a boundary, they will offer their reasonable excuse. I presume that the police will then decide whether that constitutes a listed reasonable excuse, and if not, whether it is nevertheless an acceptable excuse, and if not, whether that person will be ultimately criminalised.

As Donald Cameron said, before even getting to that point, how many people who live and work in communities that are either on or close to a local authority boundary actually know where those council boundaries are? Under the regulations, the crossing of a council boundary could constitute a criminal act, so people have to know precisely how not to commit the infraction. I hope that the minister will address in her closing remarks whether the Scottish Government has done, or urgently intends to do, any work to inform people where those council boundaries lie.

Aileen Campbell: I am curious to know whether the member has seen the postcode checker, which enables people to put in the postcode for where they live and to then find out what level of restrictions they have to abide by.

Liam Kerr: Absolutely. However, I think the point being made is that it is about where people are and about travel. The minister talked about where people live, but we are talking about where people travel and where they are at any given point.

What about someone who has a family holiday booked flying from Glasgow airport? Flying from the airport is okay, but travelling to it will be illegal, according to Michael Russell yesterday—*[Interruption.]* I am afraid that I cannot take an intervention in the time than I have.

Willie Rennie made a decent point that families presumably are being asked to cancel their family holidays, which they perhaps cannot claim back for on insurance. To return to my intervention earlier, what if they are already out in the Canary Islands and flying back on Monday? What happens when they land? If their home is outside the Glasgow area, which is in level 4, that is not an exemption in the legislation. I hope that the minister will pick that up.

Speaking of travel uncertainty, if someone boards a train from Glasgow to Aberdeen this Saturday, are ScotRail staff expected to interrogate their reasonable excuse and phone the police if they judge that the travel does not fall in either the listed or the unlisted reasonable excuses? Has the Scottish Government spoken to British Transport Police and resourced it to patrol those trains and ask passengers about their business?

As for Police Scotland, which I think we would all agree is admirably and successfully walking the difficult line between enforcement and community policing, the First Minister said that police would enforce the restriction only "as a last resort" where there was a "clear and flagrant breach". That begs the questions how the police are to identify a "clear and flagrant breach" and whether the Government will issue any guidance to Police Scotland in that regard.

My point is this: if we are going to give something the force of law—particularly something that imposes such extraordinary restrictions on, and potentially criminalises, the people of Scotland—it must not be done without extreme caution and proper thought. That is why Donald Cameron's amendment is right to require immediate clarification on the travel restrictions and detail on what enforcement powers the police will have.

The Presiding Officer: I call Tom Arthur, to be followed by Pauline McNeill. I remind members that they have four minutes only.

17:25

Tom Arthur (Renfrewshire South) (SNP): My Renfrewshire South constituency overlaps Renfrewshire Council and East Renfrewshire Council areas, which in about 24 hours will move into level 4. In that part of Scotland, it has been more than two months since we were last able to visit friends and family in their homes. It has been 40 days since significant restrictions on hospitality were introduced.

Moving into a period of even greater restrictions is disheartening, to say the least. I share the deep frustration of my constituents, who have worked hard to follow the rules. In particular, I feel for the local businesses that have had such a torrid year. My office stands ready to continue supporting local businesses to access the financial support to which they are entitled.

Although we face a challenging period ahead, we should remember that, although the virus is still claiming too many lives, our collective efforts are helping to save lives. We also have hope—not a false hope, but a hope built on the bedrock of medical science. With the widespread availability

of effective vaccines becoming increasingly likely in the coming months, we can now envisage an end point to the pandemic. We have come so far and given so much to get to this point. With an end now distantly in sight, we must do all that we can to keep people safe through what will be a difficult winter.

We can also draw strength from our collective resilience. Across Scotland, our local groups, businesses and social enterprises have played a key role in supporting their communities over the course of the pandemic. There are many organisations in Renfrewshire South whose work has had a real and positive impact. In my remaining time, I will share just a few examples of that.

Johnstone Coffee Co, in conjunction with Elderslie Butchers, has provided more than 1,200 free meals for children in Johnstone and has given meals to key workers. The Include Me 2 Club is a Barrhead-based group that provides support to more than 500 individuals. It has quickly adapted, changed and reacted to the emerging needs of the children, young people, families and communities it supports. It has been working to provide digital inclusion, hot meals to those who are shielding and other vital support services. As a service that was set up to keep people together, it has overcome the barriers of Covid-19 to remain inclusive.

The Linwood Community Development Trust scaled up its roots of Linwood operation, going from providing fresh fruit and veg to 40 households to providing them to in excess of 400 households. Over the course of the pandemic, it has distributed thousands of boxes to households throughout Renfrewshire that were unable to access food. The operation has been recognised as a high street hero by STV. The LCDT approach was to provide a community-led response to Covid. It has also provided support to other groups, such as the mental health organisation Kickin' On and youth interventions.

The Neilston Development Trust has been providing individuals and local groups with signposting to services, as well as information and guidance. Throughout the pandemic, it has worked with local volunteers and groups to bring people together to provide essential services such as shopping, prescription collection and contact with those who feel alone and isolated. It has helped make and distribute face coverings, grown food and repaired bicycles to help keep people moving safely.

Many other organisations, including Thorn Athletic and the Neilston War Memorial Association, have worked hard to support communities through the pandemic. I know that

they all stand ready to continue doing so over the next three weeks.

I thank all those who have helped support communities across Renfrewshire South over the past eight months and who will continue to do so. It might not feel like it, but the end is in sight. Together, we will get there.

17:29

Pauline McNeill (Glasgow) (Lab): I do not believe that we have had a straightforward outline of how Glasgow arrived at level 4 lockdown, and how Covid-19 is not under control in the central belt, even though we were in level 3 for several weeks. I therefore need to put faith in the First Minister's answer to me in her statement yesterday that she would aim to get us to level 2—but there is a lot of pain ahead for Glaswegians. I know that we will all play our part in helping to control the virus.

I still have some concerns about the key information that is not readily available to allow us to form a view about why we have not turned the corner during the past few months under the previous restrictions. There must be clarity in all these rules, and I do not think that there has been full clarity today.

I am trying to understand the restrictions on travel abroad. I think I understand them now, but perhaps I need clarification. The Government appears to be saying that it is unlawful for Glaswegians to travel to the airport unless on compassionate grounds, but if someone comes from a level 0 or level 1 area, can they still travel to Glasgow airport, which is in a level 4 area? The answer to that would appear to be yes, but we need clarity in the Government's wording. If the answer to that is yes, perhaps the minister will understand why Glaswegians will be really upset to find out that, because of level 4 restrictions, they will have to unbook their holidays.

The Government needs to address that as a matter of urgency—Michael Matheson is shaking his head.

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): Will the member give way?

Pauline McNeill: Of course I will.

Michael Matheson: The regulations say that those who live in a level 3 or level 4 area who want to leave their local authority area, whether it be to go somewhere in Scotland or to go on an international flight, would be covered. However, someone who lives in a local authority area that is not in level 3 or 4—in level 2, 1 or 0—and who has to undertake essential overseas travel can still

travel to the airport for the purpose of taking that flight.

Pauline McNeill: I thought that was the case, but ministers will have to explain that to Glaswegians, who are going to be upset to find out that they will not be able to travel. I am trying to listen so that I can understand, but I do not think that the cabinet secretary understands how upsetting this is going to be to many travellers. It might be necessary but the Government needs to address that.

I feel sad for a lot of traders and retailers who are missing out. December is the month in which many businesses make up what they have lost. Supermarkets can trade with few restrictions, and many online businesses will be able to capitalise on the situation, so compensation will be needed to recognise that.

Presiding Officer, I know that you said that speeches have to be a strict four minutes, and I am now down to 44 seconds. I do not know whether I am going to get any more time.

The Presiding Officer: The closing speakers would lose time if you do—that is all.

Pauline McNeill: Okay, well I will cut to the chase. I have missed out a whole bit of my speech about the lack of business support.

My other question is for Michael Matheson. He does not seem to have made much progress with allowing the aviation sector to test travellers. I am told that he has been stringing it along for weeks and now he is not interested in it. The Government does not seem to understand the connectivity issues that arise for Scotland and for Glasgow. I would be happy to take an intervention in my final eight seconds on that. That is what I am hearing. That means that Glasgow will not recover from the virus unless he is serious about the aviation sector.

The Presiding Officer: We are tight for time. I am already asking all the closing speakers to shave their time. I will probably also end up asking the open debate speakers to lose some time, so please keep to your time limits.

17:33

Shona Robison (Dundee City East) (SNP): I accept and understand the frustration that we all feel and know about from our case loads. The pandemic has not been easy for anyone, and we still face huge challenges in tackling the virus. We must not lose sight of that. I know that fatigue has set in and we want it all to be over, but everyone has made such a huge effort so far. We do not want to throw that away.

We need to look at the new restrictions in context. Scotland is not alone in what it is doing. The whole world is facing the same difficult choices and many countries are making similar decisions.

In Germany—which is held up as a country whose response is seen as a model for other countries to replicate—bars and restaurants are closed, unnecessary travel is discouraged and even with those restrictions, it appears that further tougher measures will be required to tackle the pandemic.

In France, travel between regions is prohibited, with the exception of essential journeys. As the First Minister said today, closer to home Wales has had travel restrictions similar to those in Scotland, England is in the midst of a second national lockdown and Ireland and Northern Ireland have similar restrictions. The point is that we are not alone in this position; looking at the same evidence has brought us to some of the same conclusions. The steps that the Government is taking are not unique or excessive in comparison with others.

As the First Minister said earlier, we want to avoid a national lockdown. Setting regional levels and ensuring that the virus is not transmitted between regions by unnecessary travel is part of trying to avoid that, which we all want. No one wants to see the virus spreading to communities that are not currently experiencing the high level of infections that other communities are experiencing.

The new travel restrictions that will become law tomorrow evening are very challenging indeed. However, to oppose a measure that so many other countries—in the rest of the UK and further afield—are also adopting, raises the question of on what basis we would take a different approach to travel. I have not heard, in the debate, anyone who is advocating such an approach and opposing the travel restrictions explain why Scotland would take a different approach. There is a responsibility to lay out the basis on which Scotland should take a different approach, using the same evidence and restrictions.

Frustratingly, Dundee remains in level 3. The first week of restrictions saw a 29 per cent drop in cases per 100,000. Unfortunately, that was followed by an 11 per cent rise the next week. There is more to be done to turn the curve towards a consistent downward trend. I am very clear that that is what has to happen. It is clear that in other areas, too, there has to be a consistent downward trend.

I know that Dundonians are doing their very best; I urge them to stick with their efforts so that the city can, at the earliest opportunity, move

down from level 3. It is challenging for everyone—especially the hospitality sector, as I know from representations that have been made by local businesses that have been badly affected. We must support them as best we can.

Donald Cameron made a very important point, which is that there are two parliamentary committees that have the opportunity to scrutinise. I sit on one—the COVID-19 Committee. We pore over the detail of the regulations. The cabinet secretary, Mike Russell, has been at the committee nearly every week, so the suggestion that there is no scrutiny of the regulations is just not true. There is a level of scrutiny for those who want to take part in it.

It is important that people who talk about politicking acknowledge when they are politicking. There is no politicking among SNP members because—*[Interruption.]* The measures are not popular things to do, are they? If we wanted to politic, we would do popular things. The measures are deeply unpopular. I suggest that the politicking is coming from elsewhere. I urge members to support the Government motion.

17:38

Annie Wells (Glasgow) (Con): I appreciate the opportunity to speak in this afternoon's debate. Tuesday's announcement that many parts of Scotland would be entering level 4 restrictions was news that no one wanted to hear. I completely support the principle that, if infection rates are rising and if the science deems it to be necessary, tighter measures are required to halt the spread of the virus—unfortunately.

The virus has been incredibly stubborn. It is clear that we need a new approach to combating it if we are to slow the spread, minimise pressure on the NHS and, ultimately, protect our loved ones. However, we also must take a step back and acknowledge the significant effects that level 4 restrictions will have on Scots who live in the 11 affected local authority areas—from vulnerable people to local business owners.

Like my Scottish Conservative colleagues, I have serious concerns regarding the state of many businesses in my home city of Glasgow and across the country, including concern about whether they have appropriate support from the Scottish Government, which they need in order to continue trading, thereby ensuring that people have jobs to go to.

As we have heard—from the Scottish Tourism Alliance admitting that many hotels will be forced to close, to the Scottish Licensed Trade Association warning against “irreparable damage” to the hospitality sector—level 4 restrictions represent a hammer blow for businesses across

Scotland. That is why I have repeatedly urged the SNP Government to harness the unprecedented funding that the UK Treasury is providing, in order to support Scottish jobs and livelihoods.

To be frank, time is quickly running out for many, which is why I ask members to back the Scottish Conservatives' amendment tonight. As well as calling for immediate clarity, it urges the SNP Government to immediately

“establish a Coronavirus Business Advisory Council”.

I draw attention to another consequence of the introduction of level 4 restrictions, which is the impact on people's mental health. As, I am sure, many members are aware, the Royal College of Psychiatrists in Scotland recently issued a stark warning that we are on the brink of a mental health emergency and are reaching a tipping point.

Mental health support in Scotland was already in crisis prior to the Covid-19 pandemic, but the pandemic has brought about a perfect storm of negative consequences, which have accelerated the problem tenfold. A YouGov poll found that as many as 40 per cent of Scots think that the pandemic will lead to adverse mental health consequences in the coming year.

For those who are already finding life difficult, no matter what their age or personal circumstances, level 4 restrictions will seem like yet another impossible hurdle. I have spoken in the chamber previously about my mum, who—as many others who have loved ones who are particularly vulnerable to the virus will have experienced—is finding it incredibly difficult to cope. She completely understands that life should not feel normal as we combat the virus, but she desperately misses the hustle and bustle of everyday life and talking face to face with friends, neighbours and loved ones. Despite finding the existing restrictions difficult, my mum has now been told that she must restrict her ability to interact with others even further.

I urge the Government not to forget the importance of protecting mental health as it introduces the new restrictions across Scotland. The last thing that we, as a society, need is the new restrictions creating another pandemic of their own: a long-lasting mental ill health pandemic.

17:42

Mike Rumbles (North East Scotland) (LD): When the First Minister said at the very beginning of the crisis that she had “made mistakes” but was trying her best to work for the benefit of all, that was understandable and commendable. What is not understandable and commendable, however, is that she has continued, as the months have

progressed, to make serious mistakes in tackling the crisis.

As Willie Rennie pointed out, there has been inexplicable reluctance to follow the World Health Organization's recommendation to test and isolate people with virus symptoms. We have had the Scottish Government's clinical advisers telling us night after night on TV that if people have symptoms, they should get a test and self-isolate, but for months the First Minister has consistently refused to test the vast majority of people who do not have symptoms, who were then ignored and left to spread the virus.

That does not happen in countries in the far east that are successfully tackling the virus. People entering our country are not tested at our airports, but are instead simply told to quarantine for two weeks. The First Minister says that those people are contacted by test and protect, but I know from experience that that is not the case, and research shows that 80 per cent of people do not quarantine properly. The First Minister must know that, but where is the change in policy?

Without testing people who do not have symptoms, the First Minister is left with only one option, which was eloquently outlined by Richard Leonard: repeated national or local lockdowns. That is not recommended—according to the WHO, it is not the way to do it. The strategy has self-evidently been a complete failure—a failure that has been compounded by other repeated failures.

Until recently, there was a failure to provide the data on infection thresholds, on which decisions to lock down local areas are based. When that data was eventually provided, the First Minister ignored it in her decisions to lock down local areas.

Another failure is that the First Minister continually bypasses Parliament—I get really annoyed about this—relying, as she does, on regulations that MSPs can approve only after they have come into force, and often after their expiry date. The First Minister could have asked Parliament to approve the regulations that will come into force tomorrow, but she has not done so. Instead, we have a simple non-binding debate and vote, as was pointed out by the Presiding Officer at the beginning of proceedings.

The last major mistake that I will highlight—I do not have time to list all the other mistakes that have been made—is the First Minister's decision to move away from advising people not to travel to making it a criminal offence to travel, in large parts of the country. A glance at the draft regulations shows just how ridiculous they are. Anyone who has a reasonable excuse can ignore the travel ban. The regulations do not define the travel ban; in fact, they give dozens of non-exhaustive examples of reasonable excuses. Anyone with a

reasonable excuse can ignore the regulations. Of course, what is reasonable to one person might not be reasonable to someone else. The legislation is self-evidently unenforceable by the police or in any court of law, and any self-respecting lawyer—there are lots, here in Parliament—would advise a client not to pay a fixed-penalty charge but to have the case dismissed out of hand in court.

All that is so tragic. So many people have lost their lives or have had their livelihoods ruined by wrong decisions.

I started by acknowledging the good faith of the First Minister, and I emphasise that point: I do not challenge the good faith of the First Minister. However, that does not absolve her of responsibility for the continually poor decisions that she has made—decisions that have been made in good faith, but are flawed.

As for what needs to be done, the Labour Party amendment has hit the nail squarely on the head—I could not have put it better, myself. I will be voting to support Labour's amendment, whatever anybody else does. If it fails, I consider it my duty, in order to save more lives and livelihoods, to vote against the Government tonight.

17:46

Richard Lyle (Uddingston and Bellshill) (SNP): I am angry. I am angry that the place that I have worked for as a councillor and as an MSP for 45 years of my life, Lanarkshire, is moving into level 4 tomorrow. Like others, I will be staying and working at home in Lanarkshire from tomorrow for the next three weeks or more.

"Why is that?" I have been asked. "Why has the Government had to make that choice?" It is because we are in a pandemic. It is because of something that we cannot see or perhaps even touch, but it can kill. A minority of residents in Lanarkshire just do not get that.

Now is the time to say this. Wake up! We are in a pandemic. Get real! Start to wear face coverings, start to take reasonable precautions and start to follow the advice that is shown on our television screens every day. Start to listen. Stop visiting people who are not in your bubble. This is not a game; it is real life, and it is our life. *[Interruption.]* No—I only have four minutes.

The only way we will get out of this level is by following the rules. When you go out, wear a mask. When you take your kids to school and when you collect them, wear a mask. Do not stand at the school gates to watch your kids going into school. It surprises me how many people do that. Do not stand next to each other. Yes, we might all

let our guard down for a while, but we really cannot do that. It is not rocket science. There is a virus out there that can kill and, sadly, it has, and it will continue to do so unless we all pull together, do as we are being asked to do and follow the rules. We have done it before.

I hear about the “I don’t want to put on a mask” brigade. Yes, you are entitled to your civil liberty, but you are also responsible for my health, my daughter’s health, my grandchildren’s health and my wife’s health. This is about “we”, not “you”.

We need to pull together. For the past few months I have watched the politics come in, but it is not time for politics; it is time to work together. Hindsight is a wonderful thing. Every question that has been levelled at the Government has also been levelled, strangely enough, at every other Government, in this country and others.

I am angry that personalities are coming into how we are dealing with the pandemic. Remember who we represent, who we should be standing up for and who we should be fighting for: the people who elected us. It is not about us; it is about them. Many of my constituents have lost their jobs, and their lives have changed. This time last year, the economy was looking up in various places. Now, people are on furlough. Some people have not made a penny since March. We need to get real.

Places of worship are open but only to 20 in a church at a time. Personally, I find that hard. People want to find peace. Where do they go but to a church or another religious place?

Schools are open. As a grandfather, I welcome that, but I ask our young people to keep wearing masks and to follow the guidelines that help us to fight the pandemic. I get emails blaming schools, but there are Covid cases in every walk of life. We must start to solve this.

A dog groomer asked me yesterday whether she could still work. She was frightened that she would break the law. The answer was not on the Government website, but the Scottish SPCA told me that she can.

This will affect everybody’s work and life. We must ensure that we make the advice clear to people. This will be hard for many and we must try to make it easier, whatever the cost. We should not count that cost in money; it is about what we can do for our constituents and our population.

This is hard, but we will get through it. There is light at the end of the tunnel: two vaccines that show high rates of success will eventually come.

I wish everybody well. Let us take the politics out of this and work together—it is a pandemic.

17:50

Elaine Smith (Central Scotland) (Lab): I remind members of my registered interest as a trade unionist.

The Government is introducing significant regulatory changes and it is right that they should be discussed by the Parliament. However, the Parliament cannot stop the Government introducing the changes, because they come into force tomorrow.

It is becoming increasingly difficult to follow Government reasoning on the steps that are being taken to suppress the virus. Along with much of the population, Labour has continually asked for sight of a clear evidence base for those decisions.

When the Government started to tackle the pandemic, before the national lockdown, schools were closed because the virus was found to be circulating there. Now we are told by the Deputy First Minister and advisers that the virus is not really a problem in schools and that teaching is no more risky than other jobs. I see the figures for Covid in schools in my area and that is not what I observe. Absence levels seem high.

I am constantly asked by constituents how it is credible to claim that virus levels are low in schools when so many young people are gathering together inside without proper ventilation systems in place. Councils need funds from the Government to make schools safer, including funds for increased cleaning, as was noted in a recent report by Unison.

Beyond that, there is the issue of how we measure the virus in schools if there is no consistent approach to testing. It is obvious that the infection began rising slowly when lockdown was eased and schools returned. Rates increased rapidly when the Government failed to test students and allowed large numbers of untested students, including international students, into halls of residence. The Government has been reactive and has been unprepared for predictable rises in infection rates. That mistake must not be repeated.

My constituents have been under severe restrictions for many weeks now, which is adversely impacting their mental health and wellbeing. Their efforts have resulted in a decrease in the infection rate since we last debated the subject a few weeks ago. I have no doubt that, if the messages are clear, communities and families will do what must be done.

We were told in October that the measures would be “short and sharp”. Now, although adherence to the restrictions has had a positive effect in Lanarkshire, including in our hospitals, we are being put into even more draconian measures

and moving to level 4, which the First Minister yet again describes as “short and sharp”. It is therefore no surprise that many are now finding it hard to believe the First Minister when she says that the measures will end in three weeks’ time.

Turning to the statutory travel ban, which carries criminal charges, I remind the chamber of John Swinney’s words during his media briefing on Friday. He said that

“We have got to concentrate on winning public confidence in the measures“

and that much more progress will be made if

“we engage people and invite them into the national endeavour rather than apply penalty after penalty”.

What has changed since Friday? The Government is now proposing to make people criminals if they break the travel ban, but there are many exceptions. For example, according to the First Minister yesterday, people can travel across boundaries to play golf. The First Minister also said yesterday that only people who flagrantly break the rules will be fined. Who decides what flagrant means? Is that a judgment call by the First Minister?

Ignorance of the law is not usually an excuse, but the travel ban is so complex and confusing that it would take a team of lawyers to work it out. I remind the chamber—the lawmakers in here—that the law should not have ambiguity, be applied unevenly or make criminals of people when other measures, such as better advertising to stop unnecessary travel, could be used.

Despite what the cabinet secretary said at the beginning, the First Minister said that the travel ban will not necessarily end in three weeks. The travel ban law is not a law that responsible parliamentarians should agree to without proper scrutiny. People should be treated as adults and encouraged to comply, not criminalised.

Labour has continually said that it wants the Government measures to succeed, but we need a consistent approach that protects lives and livelihoods, supports businesses and safeguards incomes, along with a test, trace and protect system that is fit for purpose and allows us to resume a semblance of normal life and work.

I have to say that I am surprised that neither the First Minister nor the Deputy First Minister is in the chamber to listen to the debate.

17:55

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I speak in support of the Scottish Government motion with no enthusiasm, because no one wants to place such significant restrictions—particularly those that my

constituents and I will now face in a level 4 area—on the communities that we all serve.

I accept that those restrictions are required, however, given the stubbornly high infection rates and Christmas just around the corner, as well as the prospect of the usual major seasonal NHS pressures that we can expect in January and February.

I am sure that we have all had different individuals and groups raise questions with us on why various restrictions have been placed on them across different levels. Many of us will be in level 4—the most stringent restrictions—for the next 21 days, so that particular level has been brought into sharp focus.

I want to make some comments about gyms and fitness centres. I recently made representations to the Scottish Government for the reopening of gyms, and was pleased to have had a sympathetic hearing when they reopened, but that event predates our current five-level system. In the current system, gyms could operate under strict conditions at level 3 or lower, but that is not possible at level 4, so gyms will close on Friday in level 4 areas. Several constituents have contacted me—both gym users and owners—who are concerned about the physical and mental impact of the closure of gyms under level 4.

With darker nights and bad weather, gyms will become an increasingly important outlet for training and physical exercise, not only for those constituents’ health but for their emotional wellbeing. They believe that the risks in gyms are relatively low. However, with seemingly relatively low risks, scale becomes a major factor; there is a multiplier effect with more opportunities for the virus to spread.

I know that gyms will not open at level 4 over the next few weeks, and I accept that. I hope that local authorities do not return to level 4 at a later date, but if they do, I ask the Scottish Government to consider an amendment to level 4 restrictions, perhaps in the new year as winter starts to bite.

I absolutely accept that such an amendment will depend on the impact of Covid-19 and on expert advice, and also that the easiest way to get gyms back open full time and permanently is to get Glasgow and other local areas to level 3 or ideally lower.

I want to say a little bit about the financial impact on people who have lost their jobs and those who have been required to self-isolate. Patrick Harvie made some important points on the self-isolation grant. I am convener of the Social Security Committee, and we have heard about the potential issues with that grant, including with its qualifying criteria, and wonder how those who apply unsuccessfully could be supported elsewhere. For

example, are those people automatically signposted to a potential crisis grant through the Scottish welfare fund? They perhaps are not, or not consistently so. I am therefore pleased to see the amendment from the Greens this afternoon.

Our Social Security Committee is conducting an inquiry into how social security can support us through and out of the Covid-19 crisis. If we agree as a committee that there are gaps in the support—I am sure that there are many gaps in support at all levels of Government—I hope that we can come together with the political will to plug some of them as best we can.

By and large, my constituents will abide by these tougher restrictions. They might not like it, but they get it. Saving lives and protecting the NHS come first, which is why I will support the Scottish Government motion this afternoon.

17:59

Jamie Greene (West Scotland) (Con): I, too, appreciate the chance to debate the latest restrictions, but, as has been observed from the outset, we are not amending or approving them. That will be the job of others, and I have every faith in their ability to scrutinise and their commitment to scrutiny. Nevertheless, the measures commence tomorrow, so we are still some way from doing things in the right order. That is important, because every one of us has an inbox that is full of questions that we have a duty to answer.

I will start by talking about small local businesses. They accept their responsibilities and role in a global pandemic, as do we all. However, they have been on a rollercoaster of opening and closing and ever-changing rules on when they can open, how many customers they can have, what they can serve and when they can serve it. Try explaining to the owner of a small cafe why they cannot serve a glass of wine with lunch when, a few miles up the road, there is another who can. All the while, they are being told by the Government that there is support available for them, but it is only a few thousand pounds. For many, the reality is that that will not cover overheads for a few days, never mind a few weeks.

I spoke to the owner of a pub in Greenock, who told me that they were pulling their hair out trying to access money weeks after they had to close. The owner of a hotel in Largs described themselves as being in a zombie-like state, because they were allowed to stay open but had no bookings, so they are losing money hand over fist. The owner of a hotel on Arran said that they had to throw away rotten food and beer because the regulations that we passed gave them too little

time to cancel their delivery from the mainland. Where was the island impact assessment of that decision? That is why members on the Scottish Conservative benches are asking for a minimum adaptation period of at least one week. How can it be that, eight months into the crisis, we cannot even offer local businesses one week's notice that we are going to shut them down? That is not good enough.

The Scottish Chambers of Commerce believes that the support that is on offer at the moment does not "scratch the surface" of what small businesses need to survive. Yesterday, the Office for National Statistics told us that it thinks that more than a third of hospitality businesses have little or even no confidence of surviving the next three months.

I know that there is not an infinite pot of money out there, and I am not claiming that there is. Goodness knows that, right now, sensible Governments the world over are borrowing money like it is going out of fashion. The virus is nobody's fault, but that does not absolve us of our responsibility to make reasonable, proportionate and enforceable law. My plea today is a simple one: let us try to do that. On behalf of all those people who seek clarity and help, do not just hear them; help them.

The debate is too short, because there is so much more that we need to ask. I wanted to ask why cathedrals in level 4 can have only 20 worshippers, meaning that people are being denied their right to worship. Why can people not drive to Edinburgh from Durham but they can fly there from Doha? In level 2, why can people have a drink with a meal indoors in a pub at 5 pm but not outdoors or indoors at any time in level 3? On what planet do we, as a Parliament, think that a pub in Scotland that cannot serve alcohol will stay open or even survive? I wanted to ask why children can shout, cry and laugh in our nurseries but are not allowed to sing. In level 4, why can people buy clothes in a supermarket but not in a clothes shop?

I have lots of questions that are fair, sensible and reasonable. If we want to take the public with us through a long, cold winter of more restrictions, we need to be able to answer those questions with confidence. If the Government cannot or will not do so, it is not the Opposition's support for its measures that it is at risk of losing, it is the public's.

18:03

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): The pandemic continues to blight our planet and test our endurance as weeks have turned into months. As someone with a higher

potential vulnerability by reason of age, I express my gratitude to the public, both personally and as a representative of a community of people who are vulnerable for a variety of reasons.

The pandemic has always been a public health emergency. The huge majority of our population recognises it in such terms, and we, in Parliament, need to recognise it as such. We honour and respect the work that people across our communities have done in protecting us from the worst excesses of the pandemic.

It is necessary to create legal frameworks for that minority of people who wish to test the boundaries of what is permissible. However, the legal frameworks need to follow the public health action. The great majority of people are doing the sensible thing, and we should thank them all. We should do nothing that suggests to them that their commitment and action—or their inaction—are not valued; they absolutely are.

The strategic framework helps us to understand what we must and must not do. Inevitably, if a concise view is to be produced of what is happening that might be presented in a single A4 page, of necessity it will not provide all the detail that might be found in a legal document. Frankly, no person in our communities will go and read the legal documents.

There is good news: vaccines are coming along. We hear that they have encouraging outcomes, although, of course, we do not know how long the post-jab immunity will last. That is just one of many things that we do not know about this pandemic or about creating immunity in individuals. However, each development moves us a little closer to a point at which we may be able to get a pharmacological grip on the pandemic. We already know that previous inoculations for viral infections are much more limited in their effect than those for bacterial infections. For example, an injection against cholera is required every year.

The bottom line is that protecting lives is the absolute priority for all legislators and for all people in our communities. Money cannot protect our citizens. The actions of citizens who limit their contact with other people is going to make the very real difference. It is nothing more than that, in any sense.

Of course, there is no point in protecting the community if we do not make sure that there is an economy after the pandemic, so we have to provide appropriate support to businesses. I am very fortunate in that about 15 per cent of my constituency is in level 1 and the rest is in level 2. Others, in the central belt, have more substantial problems. However, even in my area, as Gillian Martin mentioned, hotspots in some food-processing factories are giving us concern. I think

that the incident management teams are doing an absolutely first-class job in working their way around that.

I thank the Government and the population for everything that they are doing. I will support the motion and the Green amendment tonight.

The Presiding Officer: I call Neil Findlay for a brief contribution.

18:07

Neil Findlay (Lothian) (Lab): For almost nine months, people across Scotland have co-operated. They have been careful, taken advice and been tolerant. They have implemented unprecedented measures and have sacrificed their rights, freedoms, relationships, jobs, businesses and much more. Their physical and mental wellbeing has suffered.

It has been brutal, painful, dispiriting and, all too often, devastating, with 5,000 friends, relatives, parents and grandparents dead and laid to rest at services with only a handful of mourners. Despite all that sacrifice, and with no idea about the long-term consequences, we now have to accept more restrictions, more anguish and more social and emotional trauma.

I can only imagine how difficult it is for Governments across the world. I do not question their good faith, and I have never questioned their effort. However, our job, which is essential at a time like this, is to hold the Government to account for its decisions and to raise questions on behalf of our constituents. Mine are asking why, when the science does not support it, West Lothian is going from level 3 to level 4, or why Edinburgh is still in level 3.

A few weeks ago, the First Minister said that the “science takes us ... so far”.—[*Official Report*, 7 October 2020; c 43.]

After that, decisions are political. My plea is for the Government to make it clear that non-science-based decisions are, indeed, political decisions. That would be honest, open and transparent.

Shona Robison: Will the member give way on that point?

Neil Findlay: I have hardly any time.

I also want to object in the strongest possible terms to the way in which the emphasis of Government strategy sees the cause of virus spread as individual behaviour and not as a failure of planning, governance and year-on-year cuts to the public services that protect and civilise us.

The greatest failure has been the failure to take on board the WHO's advice to test, trace and isolate, which is something that I have banged on

about from day 1. From the outset, every case should have been tested, traced and isolated—not doing that has been a major failure. It is not the doctors and nurses who took the policy decision to discharge Covid-positive older people to care homes or the students who, by themselves, rushed back to university; they were told to do so, following pressure and lobbying by Universities Scotland for financial purposes. It is not the citizens who are responsible for the inadequacy of the test and trace system, and it is not the health and care staff who are responsible for the failure to test them routinely and weekly.

We were told that Scotland could eradicate Covid by the end of the summer, but the actions that we have seen and the actions in the strategy are self-evidently not working and we are back to the situation that we are in. I cannot support a plan to put the emphasis of blame on individuals and to absolve those in positions of power of the mistakes and bad decisions that they have made. I will tell members what will happen with the legislation that we are about to agree—are we about to agree it? I do not know. The greatest impact will be on the low paid, the young, teenagers, the old, the poor, the isolated, the lonely, the weak and vulnerable, those in care homes, those with addictions and the people at the coalface of the pandemic. For those reasons, I cannot support what is being proposed to Parliament.

The Presiding Officer: We move to closing speeches. I have asked all the closing speakers to keep their remarks as tight as possible.

18:11

Alex Cole-Hamilton (Edinburgh Western) (LD): As Willie Rennie said, we will support the Government motion and reject the Labour amendment at decision time, but we will do so with some reluctance. The Liberal Democrats would not have proposed the legal enforcement of a travel ban, but given the public expectation that one is coming, the need for clarity in these difficult times and the welcome reassurances from Police Scotland, we will support it.

I recognise that these are not easy decisions. Our citizens have accepted the hardships and privations of lockdown with grace and fortitude because they understand what is going on—they get it. However, the Government forgets that sometimes. That is why the Liberal Democrats keep asking the Government to treat people like grown-ups. If people are offered reason and science, they will more readily volunteer acceptance; without such explanations, public health measures begin to feel random—a kind of think-of-a-number politics—which breeds scepticism and frustration.

Let us take the allocation of levels as an example. Until this week, Glasgow and Edinburgh were both in level 3, but for weeks our nation's capital has had transmission and hospital admission rates that the Government defined as medium and heading to very low, whereas the rates in Glasgow remained very high, with little optimism for downward progress. People have, understandably, asked why that is.

It is not only our constituents; businesses, too, are struggling to keep up with the shifting sands of public health advice. My constituent, Geoff Crowe, owns 21CC, which is a successful events company that has been utterly decimated by the pandemic. He finally saw a pathway to recovery through outdoor, Covid-secure events and was due to launch with a spectacular fireworks concert in Errol on bonfire night. Then the cross-regional travel restrictions came in; the event was done for and, along with it, the resources that Geoff had ploughed into it.

Every decision that the Government takes has a consequence, and the decisions are tough—I get that. All we are asking ministers is that they get their Government to carry us with them and to define the problem, and the risks and benefits of each possible direction, with more clarity. We are asking them to treat us like grown-ups, as I said.

It is clear that the most contentious aspect of the regulations is the use of legal force around the travel ban. I have some sympathy with my colleague Mike Rumbles, who I thought spoke very well on the matter, and with the Labour Party.

I said at the top of my remarks that the rest of our group are minded to support the Government motion only because of the reassurance offered by Police Scotland. It has signalled that there will be no roadblocks and no specific operation—just commonsense policing. We take Police Scotland at its word on that, but we are watching. Should things change, by active policy or in operational delivery, we will insist with immediacy that the regulations be brought back to the chamber and repealed.

We will not stop seeking transparency and clarity on behalf of our constituents, who deserve to know the hinge point for movement down the levels, how they can get there and, most important, what this Government will do to support them in that endeavour.

16:15

Patrick Harvie: This is all grim; I am sick of it—we are all sick of it. However, there have been moments in today's debate when members—with whom I disagree and from whom I will vote differently—have made important points that I agree with.

However, there is also a question of tone. There have been moments when the tone of the debate has suggested that members will vote against the motion because they do not like the regulations. None of us likes them—nobody does. There have been moments when the tone has suggested that, because the level 3 restrictions were not fully effective and did not wave the problem away completely, level 4 is somehow not required or justified. There have also been moments when one or two members, who should reflect on their tone, seemed to encourage people not to comply with regulations that are necessary in the interests of public health.

Neil Findlay: Will Mr Harvie take an intervention?

Patrick Harvie: I am afraid that I do not have time.

Neil Findlay: Tell us who they were.

Patrick Harvie: I do not want to go through a roll call of individual members, because I want to make this a positive speech.

I disagree with Donald Cameron, but I think that his tone was right when he said that Government should publish more information and advice, and I agree with that. He also said that people have a right to know why the restrictions have been necessary. The main point that I disagree with is that I think that people in Scotland understand why the restrictions have been necessary and want an emphasis on public health and putting lives first.

Again, to be positive for a moment, today at First Minister's question time, Richard Leonard quite properly raised the situation of somebody in exceptional circumstances, and I hope that he welcomes the answer that he got. However, we all need to recognise that, at the moment and in most normal circumstances, booking a foreign holiday is not essential travel and poses a risk.

My amendment mostly focuses on support, which includes the need for support in self-isolation, but it goes beyond that. A great many people who work in public services around Scotland are providing that support. Members might have seen a social media post that went viral a few days ago about a library worker in an area that is about to go into level 4 restrictions. They have been desperately trying to support people to access the benefits system and other forms of support. Given the restrictions that they have to work with in the library, they were feeling unable to do that work, but they were pulled up by their manager just for trying to offer that support. I will write to the minister, because I do not have time to go into the issue in detail, but all of us—including local authorities and the Scottish Government—have a responsibility to make sure that that support is provided as best as we can.

I desperately want to end on an up note. Today, as many people look forward to the prospect of a vaccine, I have more reason than usual to be proud of my mum, because my amazing mother has been a volunteer in the Oxford vaccine trial. We are all amazed at the work of the researchers and scientists who have opened up a glimmer of hope, but thousands of people around the world have decided to put their bodies on the biological front line. We should have immense respect for those many people. If, as a Parliament, we show the same selflessness in the way that we do our work to keep our country safe that they have shown, we will be doing not too badly. *[Applause.]*

18:19

Colin Smyth (South Scotland) (Lab): Today's debate has been a sobering reminder to us all that the pandemic has not gone away. Bold talk in the summer that we were on the cusp of eliminating the virus has been replaced with a realisation that, until we have mass testing, more robust contact tracing and better treatments and until promising vaccine trials become a programme of mass vaccination, Covid-19 and restrictions on our lives will be with us for some time to come.

Our thoughts should never stray from the 5,135 lives that have been lost in Scotland to the virus. We have one of the worst death rates in the world and that terrible toll is likely to grow because, eight months into the pandemic, we find ourselves where we did not want to be—at the heart of a second coronavirus wave. The catalogue of events that led us here is there for all to see. The Government's own figures show that more than 168,000 people arrived in Scotland between 22 June and 8 November who were required to quarantine, and that just 12 per cent of them were followed up by contact tracers, yet the Government still rejects a programme of comprehensive testing at airports.

The impact of the botched handling of the return to university, with that last-minute change in guidance by the Government, is clear. At the start of September, before universities returned, the average number of confirmed Covid cases was under 120 per day; two months later, it was over 1,000 per day—10 times higher and breaking the World Health Organization's 5 per cent positivity threshold above which the virus is no longer under control. At the same time, in more than a third of test and protect cases, it was taking more than 72 hours from being notified for contact tracers to speak to the person with the positive test and tell their close contacts to self-isolate. That was despite SAGE warning that taking more than 48 to 72 hours has a significant impact on the R number.

Crucially, the Government has failed to roll out mass testing, with most front-line workers such as our home carers still not being routinely tested. The result is that our hospital wards are once again filling up and much of Scotland will soon return to lockdown with more businesses being forced to close. No one doubts how difficult making that decision will have been for the Government, balancing the challenge of battling a growing pandemic with the fallout that there will be from the actions that it takes to do so. That is why those decisions deserve the maximum scrutiny, especially when they mean such significant changes in the law, yet we are debating the impact of regulations that have been published just this afternoon. Few will have read them, never mind scrutinised them, and we will not get to do so before they come into effect tomorrow, despite them having such a profound impact on the lives of our constituents.

Why is that important? Because we have been here before. On 27 October, the Government published its Covid strategic framework, we debated the framework and the First Minister told Parliament:

“Level 2 is broadly comparable to the restrictions that are currently in place outside the central belt. Currently, in those areas, hospitality can operate normally outdoors with an early closing time.”—[*Official Report*, 27 October 2020; c 47.]

The First Minister answered questions on the framework, but the next day she published regulations that utterly contradicted what she had told Parliament and closed all non-food pubs from level 2 up. The First Minister said one thing to Parliament, but her regulations did another. Our fear is that, without adequate scrutiny, we will see a repeat when it comes to travel restrictions.

It is eye-opening, I have to say, that SNP speaker after speaker has dismissed people wanting more scrutiny of something before it becomes law as “politicking”. We have a genuine fear that we could be about to criminalise people who are simply working hard to navigate an increasingly complex tier system. Just yesterday, Mike Russell showed that he did not understand what the travel regulations would mean, telling the COVID-19 Committee that people can undertake international travel but they cannot travel to the airport to do so. Even a cursory glance at the regulations, which is all that we have had time for, shows that it is far more complex than that. The regulations will mean that, from tomorrow, someone in my South Scotland region who lives in East Ayrshire, which is at level 4, and travels to a beach 6 miles away in South Ayrshire, which is also level 4, for a solitary walk on a Sunday morning will be breaking the law.

Patrick Harvie says that it is unlikely that the law will be enforced, so why have it in law in the first place? I have heard the argument from some in the debate that the regulations are about restricting movement between low and high levels of restriction, but the regulations make it clear that they will restrict travel even between two areas with the same level of restrictions at level 3 and above. We already have guidance in place on travel and people are working hard to follow it. The Liberal Democrats said that they would not have introduced travel restrictions in law but that, if we do not vote for them, that will send a signal to the public that they should not follow the existing guidance on travel. I do not think that Willie Rennie or Alex Cole-Hamilton convinced themselves with that argument, they certainly did not convince Mike Rumbles, and I have to say that I have more faith in the public than they do.

More and more is being asked of members of the public. The rules and laws that they have to follow are becoming more and more complex and confusing. That should make us at least pause before we criminalise that confusion. Asking for the withdrawal of the regulations on travel so that we can properly scrutinise them is not politicking; frankly, it is common sense. I urge Parliament to vote for that common sense and support Labour’s amendment at decision time.

The Presiding Officer: I thank all members for their efforts to curtail their remarks. However, it looks as though we will go over time, so I ask the Minister for Parliamentary Business and Veterans to move a motion without notice to move decision time back to 6.40.

Motion moved,

That, under Rule 11.2.4, Decision Time shall begin at 6.40 pm.—[*Graeme Dey*]

Motion agreed to.

18:25

Maurice Golden (West Scotland) (Con): In her statement yesterday, the First Minister noted that Scotland’s Covid death toll is likely to pass the 5,000 mark this week. That is a stark reminder of why restrictions of any sort are necessary. However, Annie Wells highlighted the mental health issues that are faced by many people, and we must ensure that we get the restrictions right, that they are understood by the public, that they can be enforced and that they will make a difference.

By the measure of those criteria, yesterday’s announcement of travel restrictions falls short. It is not that anyone doubts the need to act—we must take it in good faith from ministers that the data demands that those measures be put in place—but, as we have heard from Donald Cameron and

Willie Rennie among others, the regulations, which have been published less than 24 hours before the travel ban comes into force, are already causing confusion, especially when people will have little idea of where local authority boundaries actually are. We are not talking about clearly marked international borders here—council boundaries are often just invisible lines that cut through streets.

If we add in the large number of exceptions, we have a recipe for people to unwittingly break the law that will make enforcement very difficult. That is unfair on our police officers, who have done a tremendous job during the crisis. The least they deserve is a clear explanation of how they are supposed to enforce the ban.

The lack of preparation by SNP ministers that has been evident this week is baffling. The coronavirus strategic framework was set out weeks ago, and the First Minister has openly discussed the need to consider tier 4 restrictions since it was announced. We must add to that the lessons that should have been learned from the confusion that was created over cafes and restaurants the last time.

Why are so many basic questions still unanswered? Businesses in the 11 local authority areas that are moving to tier 4 still have no information on the restart procedure or timing after the restrictions end. That will play havoc with staff rotas, supply chains and forward planning. More immediately, those businesses go into the busy Christmas period facing closure or restricted trading with no guarantee of when or even if the SNP will provide support.

We all appreciate that decisions might have to be taken quickly, but they should not be taken in a vacuum. Businesses need more time to adapt, especially as many are already “running on fumes”, as Liz Cameron from Scottish Chambers of Commerce warned yesterday. The Scottish Conservatives’ amendment recognises that in our call for there to be a week’s adaptation period between the announcement of restrictions and their introduction, and for the establishment of a coronavirus business advisory council. Jamie Greene said that businesses were on a rollercoaster ride.

There is also a question of fairness here. Just today, I was contacted by Lisa, who runs L Occasionwear, which is a small retail business in Ayr. She says that she has endured a “business year from hell” and will be forced to close tomorrow because her business is deemed to be non-essential, yet large retail businesses such as supermarkets will remain open and able to sell non-essential items. Needless job losses at Christmas will occur if the SNP does not provide enough business support.

Back in October, the previous discretionary fund was announced over a week before anyone could even apply, let alone receive funds. It is unthinkable that lessons have not been learned from that, and I hope that we will see an urgent update on when applications will open for the latest discretionary fund, which was announced yesterday.

However, that fund is worth only £30 million, with £15 million for self-employed support. Every penny of that is welcome, of course, but it is simply not enough. As CBI Scotland warned earlier this week, businesses need

“a significant increase in support immediately if they are to keep their heads above water.”

The UK Government recently announced another £700 million boost for Scotland, and now is the time for the Scottish Government to deploy it. If it is saving that money for a rainy day, that day is now.

That money would also allow support to be provided for those whom the Scottish Government has all too often allowed to slip through the cracks. For example, much of the SNP’s support effort in the crisis has been linked to domestic rates, but it is estimated, according to the Federation of Small Businesses, that one in two businesses are run from people’s homes, and they account for one in 10 jobs. The fact that those people do not have business premises does not mean that the restrictions will not impact on their livelihoods.

We are all united in wanting the restrictions to succeed in reducing the spread of the virus, but ministers cannot take the public support for granted. They need to meet the public halfway, and that means giving sensible warning of changes, stopping the holding back of support funds and, above all, ensuring that the information is there so that everyone understands what is expected of them.

The Presiding Officer: I call the cabinet secretary, Michael Matheson, to conclude our debate.

18:31

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): I thank everyone for their contributions to our debate this afternoon. I am in no doubt that, despite some of the differences of opinion that have been shared during the debate, we all have the shared objective of seeking to suppress the virus and manage our country through the course of the pandemic as best we can.

In any parliamentary debate on the subject in the political heat of the chamber, we must not

forget the fundamental human impact of the virus, which has been illustrated yet again by the 54 new deaths of people who had tested positive that were reported just today. My condolences go to each and every one of the families who have lost a loved one. That is the human impact of the virus, and it is why it is critical that, as a Government, we take forward the appropriate measures in order to try to manage our way through this as effectively as we can.

A number of members rightly raised the issue of parliamentary scrutiny of such regulations, given the direct impact that they have on individuals' day-to-day lives. I fully respect that. As a member of this Parliament since 1999, I very much respect and uphold the Parliament's right to scrutinise the Government and hold us to account for the measures that we take forward. That is the role of Parliament—to ensure that the Executive is effectively held to account.

I will give ground to no one who suggests that we, as a Government, are seeking to push these matters through without scrutiny. The reason why I say that is that, as Donald Cameron and Shona Robison recognised in their speeches, this is not a normal process, because we are not in normal times. The process has been created in order to try our very best to manage the very challenging circumstances that not just our constituents, but all of us are facing day in, day out in our personal, day-to-day activities.

I fully accept that the regulations will come into force at 6 pm tomorrow, and I recognise that some might question the pace at which we are taking forward some of these measures. However, with every delay in taking forward the appropriate measures to manage the virus, we would increase the risk to people in Scotland and, potentially, more people would die as a result of the virus. That is why it is critical that we take forward measures at an appropriate pace, in order to offer the greatest protection that we can.

We should not think that Scotland is isolated in the measures that we are having to take. England has had to take similar measures. Northern Ireland, Wales, the Republic of Ireland and France have all had to take measures to restrict the ability of people to move around the country, impinging on their day-to-day lives in a way that none of us who, when we came into politics, would ever have wanted to do. Even countries such as Germany, which is often held up as an example of how we should go about managing the virus, have had to introduce restrictive measures on travel.

In his speech, Willie Rennie rightly recognised the importance of dealing with issues relating to travel that impact directly on controlling the virus.

I very much welcomed Donald Cameron's speech, in which he broadly agreed with the approach that we are taking with the regulations. I also recognise the challenges arising from the complexity of these matters, such as those regarding local authority boundaries. Not everyone has their council boundary imprinted exactly in their brain. Nevertheless, we have sought to reach out by creating a mechanism, in the form of the postcode checker, that allows people to access information as easily and as readily as possible, so that they can identify the restrictions in their local area. We will always seek to do more to communicate that information and ensure that people have access to it as best they can.

I recognise that the situation is not perfect, but the measures are important to protect the public in Scotland.

Willie Rennie: I am sure that the cabinet secretary will also recognise the point that I made about those who have booked holidays abroad—whether reluctantly or not—and are now not able to get to the airport. Those holidays have not been cancelled, so those people will not get their money back. Will the Government look at that? How will it sort it?

Michael Matheson: I will seek to address that point and a number of other points that members have raised. Willie Rennie raised the issue of TUI. It has cancelled all flights from Glasgow and Edinburgh until 10 or 11 December, as a result of the fact that the vast majority of people who use those flights come from level 3 and 4 areas. I hope that the member takes some reassurance from that.

Our approach to and advice on international travel has not changed. It remains the case—as has been the case for months—that we advise against non-essential overseas travel. Of course, some people will have to travel for work purposes or on compassionate grounds, and we fully recognise that, but that advice has not changed. It is exactly the same as it has been for months, and it has been the same in England, Wales and Northern Ireland. It remains the same now, and it is important that people listen to that advice and act on it.

I recognise the calls of those who wish to see more evidence. They want to see a greater level of detail on the rationale for the restrictions. I am very open, as are all my colleagues in the Cabinet, about how we arrive at our decisions. If there are specific areas on which members believe that there is a need for further information and data to be provided, they should tell us what that is, and we will look to see whether it can be provided.

I have a word of warning, however. Before members call for more evidence and data, it is

important that they become familiar with what has already been provided. We had a call from Richard Leonard today for an equality impact assessment of regulations of this nature. We have just carried out that very impact assessment, which was published alongside the regulations this afternoon. It is okay to come to the chamber and call for things, but it is incumbent on members to make themselves familiar with what is already available.

Pauline McNeill raised a point about airport testing. I can assure the member that we are still taking forward a piece of work on that with the airports. There is a difference of opinion between the clinicians that the airports have and our clinicians on how any regime should operate, but we are continuing to work with the UK Government and Scottish airports in looking at trying to introduce a pilot project in Scotland, if that is possible.

I am very conscious of the time.

As other members have said, there is much light at the end of the tunnel. We have heard from the Cabinet Secretary for Health and Sport about the approach that we are taking in planning for the rolling out of a vaccine when it becomes available later this year and into the new year. There is hope that there will be more than one vaccine.

I offer my thanks to Patrick Harvie's mother for her selflessness in contributing to the type of clinical trials that will end the pandemic and mean that we no longer need to have such regulations coming to Parliament again and that people can get back to their normal, day-to-day lives.

Elaine Smith: On a point of order, Presiding Officer. During his speech, Richard Lyle said that, because his area is going into level 4, he will be working at home for the next three weeks. Can you clarify the travel law in that regard for members, Presiding Officer? Are members and their staff—*[Interruption.]*

The Presiding Officer: Let us hear the point of order, please.

Elaine Smith: Are members and their staff allowed to travel here from level 3 and 4 areas without breaking the law? I hear cries of, "There's been an email", but some of us have been participating in a very important debate. It would be extremely helpful if you could clarify that, Presiding Officer.

The Presiding Officer: Yes, I can clarify that. That has been discussed, and an email went out this afternoon while we were in the chamber that offered support and guidance to all members of staff. The advice for all members is still that we should work from home where possible. However, this is essential business, and members are

clearly allowed to come to the Parliament. They are also allowed the support of one additional member of staff. I advise members to look to the guidance.

Richard Lyle: On a point of order, Presiding Officer.

The Presiding Officer: Mr Lyle, I hope that this is not going to be a rebuttal, rather than a point of order.

Richard Lyle: No. I just want to say that that is my personal choice, and I am in it with my constituents.

Point of Order

18:42

The Cabinet Secretary for Health and Sport (Jeane Freeman): On a point of order, Presiding Officer. I have not had the opportunity to see the *Official Report* of my statement and the subsequent questions, but I may have made a mistake in my answer to at least part of Ms Lennon's question. I am grateful for the opportunity to clarify that we expect to receive 320,000 doses of the vaccine over the first two weeks of December—subject, of course, to all the caveats that I set out in the statement.

The Presiding Officer (Ken Macintosh): Thank you for that clarification, cabinet secretary.

Decision Time

18:43

The Presiding Officer (Ken Macintosh): We come to decision time. The first question is, that motion S5M-23361, in the name of Johann Lamont, on improving youth football in Scotland, be agreed to.

Motion agreed to,

That the Parliament notes the conclusions and recommendations contained in the Public Petitions Committee's 2nd Report 2020 (Session 5), PE1319: *Improving youth football in Scotland* (SP Paper 763).

The Presiding Officer: The next question is, that amendment S5M-23416.2, in the name of Donald Cameron, which seeks to amend motion S5M-23416, in the name of John Swinney, on Coronavirus: Scotland's strategic approach, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. I will suspend the meeting for a few minutes to allow members to access the voting app.

18:43

Meeting suspended.

18:47

On resuming—

The Presiding Officer: We move to the division on Donald Cameron's amendment S5M-23416.2. Members may cast their votes now. This will be a one-minute division.

The vote is closed. If any member believes that they were not able to vote, please let me know through a point of order, either in the chamber or online.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)

Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 51, Against 71, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-23416.3, in the name of Richard Leonard, which seeks to amend motion S5M-23416, in the name of John Swinney, on Coronavirus: Scotland's strategic approach, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members may vote now.

The vote is closed. Any members who believe that they were not able to register their vote should please let me know through a point of order.

I will take a point of order from Jeremy Balfour. We can see you now, Mr Balfour, but you are on mute. If you wish to register your vote, please do so now.

Mr Balfour, you are still on mute. I think that your microphone is not working. This is unusual, but I ask you to shake your head either no or yes, to indicate which way you are voting.

That is a no, Mr Balfour. You will be recorded as voting no to Richard Leonard's amendment S5M-23416.3.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)

Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caitness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 22, Against 99, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-23416.1, in the name of Patrick Harvie, which seeks to amend motion S5M-23416, in the name of John Swinney, on

Coronavirus: Scotland's strategic approach, be agreed to. Are we agreed?

Amendment agreed to.

The Presiding Officer: The final question is, that motion S5M-23416, in the name of John Swinney, on Coronavirus: Scotland's strategic approach, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members may vote now.

The vote is closed. Any member who believes that they were not able to vote should please let me know through a point of order.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)

McNeill, Pauline (Glasgow) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
Rumbles, Mike (North East Scotland) (LD)
Sarwar, Anas (Glasgow) (Lab)
Smith, Elaine (Central Scotland) (Lab)
Smyth, Colin (South Scotland) (Lab)
Stewart, David (Highlands and Islands) (Lab)

Meeting closed at 18:56.

The Presiding Officer: The result of the division is: For 99, Against 23, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament agrees the measures set out by the Scottish Government on 17 November 2020 under its *Coronavirus (COVID-19): Scotland's Strategic Framework*; notes that the regulations implementing these measures will be laid in Parliament; believes that these measures can only be fully effective if the test, trace, isolate, support system continues to improve; recognises that self-isolation poses significant challenges for many people, which the existing conditional self-isolation grant cannot fully meet, and calls on the Scottish Government to develop a comprehensive package of support for self-isolation to ensure that everyone who needs to is able to take this step to protect their community.

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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