

Tuesday 19 January 2016

## SCOTTISH GOVERNMENT

### Communities

**Drew Smith (Glasgow) (Scottish Labour):** To ask the Scottish Government what input it had to the 2015 UK state party report to the UN Committee on the Elimination of Racial Discrimination; whether it consulted minority ethnic communities in relation to such input, and whether it will publish its submission.

(S4W-29207)

**Alex Neil:** The UK Government is responsible for providing the state party report to the UN Committee on the Elimination of Racial Discrimination. The Scottish Government provided an update to the UK Government in relation to the race equality work being carried out. It did not formally consult on this update. However the input was informed by its on-going work around race equality, including dialogue with communities, and drew on the relevant available data and information. The Scottish Government has no plans to publish its contribution to the UK report.

The Scottish Government has focused on an extensive programme of engagement throughout 2015 as part of developing a new race equality framework for Scotland. The race equality framework document will be published in 2016.

**Jim Hume (South Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government what discussions it (a) has had or (b) plans to have with the UK Government on devolving the National Lottery.

(S4W-29210)

**Alex Neil:** No such discussions have taken place. There are no current plans to change the way in which the National Lottery operates in Scotland. We are committed to ensuring that Scotland's communities continue to benefit from the good cause funding raised from lottery ticket sales.

**Jim Hume (South Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government, following publication of the report, *Understanding Disabled People's Housing Pathways: Initial Insights*, what financial support it will provide to help disabled people access housing more suitable for their needs.

(S4W-29215)

**Alex Neil:** In 2016-17 we will increase the capital funding for the affordable housing supply programme by £90 million, to increase the supply of new social and affordable homes, including for disabled people. We are continuing to provide £10 million to Registered Social Landlords to help fund adaptations for their tenants.

Though the Housing Voluntary Grant Scheme we fund a number of organisations which aim to help disabled people access housing suitable for their needs. This includes Housing Options Scotland, Capability Scotland and Glasgow Centre for Inclusive Living who developed Home2Fit, a national register of accessible housing which helps disabled people to more easily find suitably adapted and accessible housing. We also fund Care and Repair Scotland, the national co-ordinating body for care and repair services.

**Jim Hume (South Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government, following publication of the report, *Understanding Disabled People's Housing Pathways: Initial Insights*, what plans it has to make more social housing units available to disabled people.

(S4W-29216)

**Alex Neil:** In 2016-17 we will increase the capital funding for the affordable housing supply programme by £90 million, to increase the supply of new social and affordable homes, including for disabled people. Local authorities are required under the Housing (Scotland) Act 2001 to produce a local housing strategy setting out its strategy, priorities and plans for the delivery of housing and

housing related services in its area. Updated local housing strategy guidance was issued in 2014 and this will inform the forthcoming round of local housing strategies from local authorities due in the next two years. The guidance has been strengthened to provide a strong focus on the role of the authority in the planning and delivery of specialist housing.

Social housing is allocated in line with a landlord's allocation policy. People who are disabled and who are in housing need would generally receive priority for housing on the basis of living under unsuitable housing conditions.

As part of the Housing (Scotland) Act 2014 the Scottish Government will make it easier for social landlords to recover possession of certain properties designed or adapted for special needs. The provision, which is expected to come into force in autumn 2016, should help ensure that landlords make best use of adapted properties by allocating them to people who can make use of the adaptations.

**Jim Hume (South Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government, following publication of the report, *Understanding Disabled People's Housing Pathways: Initial Insights*, what guidelines it has developed for local authorities to make social housing units better equipped for the needs of disabled people.

**(S4W-29217)**

**Alex Neil:** Guidance to local authorities on the Affordable Housing Supply Programme (AHSP) promotes the delivery of flexible housing capable of being adapted to suit peoples' changing requirements. Therefore, wherever possible, housing projects receiving grant funding through the AHSP should comply with published guidance on the essential aspects of housing for varying needs (HfVN). As well as meeting the HfVN guidance, new social housing must be constructed in accordance with national building regulations which apply to all new-build homes regardless of tenure. In terms of minimum accessibility and energy standards they are the most demanding in the UK. This means occupiers are provided with both a very good basic level of accessibility/adaptability and energy-efficient fabric/heating.

**Jim Hume (South Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government, following publication of the report, *Understanding Disabled People's Housing Pathways: Initial Insights*, how it will change its housing strategy to accommodate improved construction of social housing stock to meet the needs of disabled people.

**(S4W-29218)**

**Alex Neil:** I refer the member to the answer to question S4W-29216 on 19 January 2016. All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

**Willie Rennie (Mid Scotland and Fife) (Scottish Liberal Democrats):** To ask the Scottish Government how much central funding it has provided using the Bellwin formula to assist local authorities in meeting significant unanticipated expenditure in each year since 2007-08; which local authorities received this support and (a) for what purpose and (b) how much was provided on each occasion.

**(S4W-29249)**

**John Swinney:** The information requested is set out below:

Funding paid out under the terms and conditions of the Bellwin scheme.

2009-10 Aberdeenshire Council received £450,999 following severe flooding incidents during October and November 2009.

2009-10 The Moray Council received £281,726 following severe flooding incidents during October and November 2009.

2012-13 Scottish Borders Council received £917,334 following various flooding incidents throughout the year.

Funding paid out to local government for weather-related incidents which replaced the need for Bellwin scheme claims.

2009-10 Aberdeenshire Council received £2 million following a landslip at Bervie Braes caused by heavy rainfall in February 2009.

2010-11 All 32 local authorities received a share of £5 million to repair local roads and potholes following the severe winter weather.

2011-12 All 32 local authorities received a share of £15 million to repair local roads and potholes following the severe winter weather.

2012-13 All 32 local authorities received a share of £2 million to repair local roads and potholes following the severe winter weather.

2014-15 Dumfries and Galloway Council received £0.5 million to repair the river bank, the sea walls and coastal paths.

2015-16 Confirmed funding of £14.74 million support for nine local authorities worst affected following the severe flooding caused by Storms Desmond, Frank and subsequent severe rainfall. In addition this support has been expanded to other affected local authorities.

**George Adam (Paisley) (Scottish National Party):** To ask the Scottish Government what progress it has made in encouraging the use of Scottish produce in schools.

**(S4W-29259)**

**Marco Biagi:** Following the introduction of Scotland's first national food and drink policy in 2009, the Scottish Government provided specific guidance, *Catering for Change – Buying food sustainably in the public sector*, which is now embedded into today's public procurement practice for food. This clarifies that food procurement can make a significant contribution towards the public sector's economic, environmental, social, and health related objectives, including taking steps to encourage the involvement of smaller suppliers. In addition, the Procurement Reform (Scotland) Act 2014 places an obligation on those public bodies required to publish a procurement strategy to include a statement of their general policy including involving the provision of food in the context of health, wellbeing and education of communities in the local authority's area.

In 2014, the next phase of Scotland's national food and drink policy, 'Becoming a Good Food Nation', was launched and recognises food in the public sector as a key priority area, including specific aims around 'championing fresh, seasonal, local and sustainable produce' and 'celebrating provenance and ethical sourcing'.

Also in 2014, the Scottish Government launched *Better Eating, Better Learning – A New Context for School Food*, which asks teachers, caterers, suppliers, parents, pupils and wider community to drive further improvements to school food provision and food education. One of the seven sections is titled 'Sustainability through food' and advocates the use of fresh, seasonal and sustainably grown food in the school meal service.

### **Enterprise and Environment**

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government whether it considers that it has an obligation to apply legal protection to the European beaver under the terms of the habitats directive.

**(S4W-29148)**

**Aileen McLeod:** The Scottish Government does not believe there is an obligation to apply legal protection to the European beaver under the terms of the habitats directive at present, while beavers are still subject to a ministerial decision on whether they are to be reintroduced to Scotland. In the event that ministers decide that beavers should remain in Scotland it is expected that some form of legal protection will be applied.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government how many European beaver have been shot in Scotland since 2010 and collected by Scottish Natural Heritage for autopsy.

**(S4W-29149)**

**Aileen McLeod:** Twenty one shot beavers have been surrendered to Scottish Natural Heritage or the Royal Zoological Society of Scotland for post mortem examination.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government how many European beaver are estimated to have been shot in Scotland since 2010 and not collected for autopsy.

**(S4W-29150)**

**Aileen McLeod:** We do not have any information on which to base an estimate of the numbers of beavers shot in Scotland since 2010 and not collected for autopsy.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government what it estimates to be the size of the European beaver population in the Tay catchment area.

**(S4W-29151)**

**Aileen McLeod:** Scottish Natural Heritage Commissioned Report Number 540: *Distribution, Population Assessment and Activities of Beavers in Tayside* reported on a 2012 survey which found 38-39 occupied territories at that time. The authors of the report suggest that this could equate to 106-187 animals. It is assumed that the population will have expanded since 2012, although we have no recent data to confirm the current population. A link to the report is below.  
[http://www.snh.org.uk/pdfs/publications/commissioned\\_reports/540.pdf](http://www.snh.org.uk/pdfs/publications/commissioned_reports/540.pdf)

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government how many European beaver autopsied in Scotland since 2010 were (a) pregnant and (b) lactating.

**(S4W-29152)**

**Aileen McLeod:** Of the 21 beavers autopsied, (a) four were pregnant; and (b) a further two were lactating.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government how many European beaver autopsied in Scotland since 2010 were found to have been shot with inappropriate weapons.

**(S4W-29153)**

**Aileen McLeod:** There are no legal restrictions on the types of firearms which may be used in the lethal control of beavers. There is a general prohibition on the use of any bow or cross-bow, or any explosive other than ammunition for a firearm, for the purpose of taking or killing any wild animal, under section 11 of the Wildlife and Countryside Act 1981. Autopsies revealed that three beavers were shot with inappropriate calibres or ammunition or at a range at which the likelihood of immediate and humane death may be compromised.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government what advice land managers have been given regarding management of European beaver on their land.

**(S4W-29154)**

**Aileen McLeod:** Scottish Natural Heritage (SNH) and the Tay Beaver Study Group have advised land managers experiencing impacts from beavers to refrain from the use of lethal control and to seek advice on mitigation methods. The role of the Tay beaver project officer, funded by SNH, included advisory visits for this purpose. SNH staff and contractors have also provided advice on the choice of effective firearms and ammunition, where it was apparent that a land manager was intent on lethal control of beavers. The Scottish Environment Protection Agency have also provided land managers with advice on managing the impacts of European beaver.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government what legal options land managers have had in dealing with European beaver on their land since 2010.

**(S4W-29155)**

**Aileen McLeod:** Beavers are not currently legally protected in Scotland and lethal control with firearms is not prohibited. Legal options for management include protection and mitigation methods, such as the use of wire netting to protect trees, the installation of “beaver deceiver” flow devices to prevent flooding, as well as lethal control.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government what advice it has issued to land managers in relation to the shooting of European beaver during the breeding season.

**(S4W-29156)**

**Aileen McLeod:** Scottish Natural Heritage (SNH) and the Tay Beaver Study Group have advised land managers experiencing impacts from beavers not to resort to lethal control but to seek advice on mitigation methods. The role of the Tay beaver project officer, funded by SNH, included advisory visits for this purpose. SNH staff and contractors have also provided advice on avoiding leaving dependent young.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government whether it considers the European beaver population in Scotland to be largely disease free.

**(S4W-29157)**

**Aileen McLeod:** None of the animals which has been trapped, examined and released or subject to post-mortem examination appeared to be carrying any disease of significant concern to public or animal health. As expected, some individuals were found to be carrying diseases or parasites which are normally found in other wild animals in Scotland, as well as some that are unique to beavers.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government what action it is taking to reduce the level of ultrafine nanoparticles in the atmosphere.

**(S4W-29194)**

**Aileen McLeod:** In November 2015 the Scottish Government published *Cleaner Air for Scotland – the Road to a Healthier Future*, which sets out a strategy to deliver further improvements to air quality over the coming years through implementation of a wide range of actions across policy areas impacting on air quality.

These actions will contribute to the reduction of fine particulate matter in the atmosphere. To provide a focus for action we are currently in the process of introducing a new objective for PM2.5 into air quality regulations. This is derived from the World Health Organisation's guideline value and will make Scotland the first country in Europe to adopt the guideline value in legislation.

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

**Jim Hume (South Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government what information it holds on the types of mental health conditions that are prevalent in each category of the Scottish Government 6-fold Urban Rural Classification.

**(S4W-29231)**

**Jamie Hepburn:** Information from various studies into the prevalence of different mental health conditions in the general population is available on the Scottish Public Health Observatory website under the mental health topic (<http://www.scotpho.org.uk/health-wellbeing-and-disease/mental-health/key-points>).

**Jim Hume (South Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government what information it holds on the prevalence of mental ill-health broken down by (a) professional group and (b) category of the Scottish Government 6-fold Urban Rural Classification.

**(S4W-29233)**

**Jamie Hepburn:** I refer the member to the answer to question S4W-29231 on 19 January 2016. All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

### **Learning and Justice**

**Alison McInnes (North East Scotland) (Scottish Liberal Democrats):** To ask the Scottish Government what its response is to the ruling by the UK Supreme Court in the case of *Shahid v Scottish Ministers* of 14 October 2015 and whether it considers that it has implications for how segregation is applied across the prison estate.

**(S4W-29160)**

**Michael Matheson:** I have asked Colin McConnell, Chief Executive of the Scottish Prison Service (SPS), to respond. His response is as follows:

"Following receipt of the judgments from the inner and outer houses of the Court of Session in November 2011 and January 2014 respectively, SPS undertook a review of the facts and circumstances of the case and the judgements to identify what lessons might be learned. Action was taken to address the issues identified. This meant that the concerns raised by Supreme Court Justices in their judgement had been identified and actioned. I have detailed below the key concerns raised by Supreme Court Justices in their judgment and the actions already taken by SPS to address them:

**Time limits:** Failures to apply for authorisation to remove a prisoner from association within the strict time limits prescribed by the prison rules, which rendered the process unlawful.

**SPS action:** Robust processes and procedures to mitigate against the risks associated with failures to adhere to the strict time limits prescribed by the prison rules have been put in place. The processes which had very much been paper based are being amalgamated into our IT systems (Prisoner Records System). This enables prisons and SPS Headquarters to monitor and manage compliance with the strict time limits.

**Role of the Executive Committee for the Management of Difficult Prisoners (ECMDP):** The Supreme Court Justices were concerned that ECMDP were taking the decisions to remove prisoners from association, rather than those duly authorised by the prison rules.

**SPS action:** This issue was addressed by SPS in June 2013, before the appeal to the Inner House in November 2013. Guidance was issued that clarified the role and remit of ECMDP (now known as the Prisoner Monitoring and Assurance Group) to ensure it was operating in compliance with prison rules. This guidance was also incorporated into the SPS policy on removal from association which was revised in July 2013.

**Management plan:** Insufficient consideration had been given to a management plan for Mr Shahid.

**SPS action:** A management plan document has been developed and is currently being piloted across three prison sites. The management plan documentation will be utilised to record and monitor the actions taken by SPS to manage the progression of prisoners removed from association."

### **Strategy and External Affairs**

**Tavish Scott (Shetland Islands) (Scottish Liberal Democrats):** To ask the Scottish Government, further to the answer to question S4O-02112 by Humza Yousaf on 15 May 2013 (*Official Report*, c. 19792), what work Scottish Development International has undertaken in Iraqi Kurdistan since that date.

**(S4W-29170)**

**Humza Yousaf:** Scottish Development International (SDI) had a staff member assigned to Istanbul between September and December 2014 who, as part of his remit, assessed the suitability of Kurdistan as a potential destination for oil and gas events and trade missions.

SDI has been in contact with the UK Trade and Investment Office in Erbil and the Kurdistan Regional Government representative in London around developing a strategy for the region. Security issues in the area have meant this work is currently being held until the situation improves.

**Tavish Scott (Shetland Islands) (Scottish Liberal Democrats):** To ask the Scottish Government, further to the answer to question S4O-02112 by Humza Yousaf on 15 May 2013 (*Official Report*, c. 19792), how many Scottish businesses have been supported by it or Scottish Development International in developing links with Iraqi Kurdistan since that date.

**(S4W-29171)**

**Humza Yousaf:** Scottish Development International (SDI) records assistance given to companies in overseas markets at a national level and does not record specific regions. Between 15 May 2013 and 30 October 2015, SDI helped 10 individual companies or organisations to do business in Iraq.

**Tavish Scott (Shetland Islands) (Scottish Liberal Democrats):** To ask the Scottish Government what assistance (a) its officials and (b) Scottish Development International provided to the delegation of SNP parliamentarians prior to their visit to Iran in December 2015.

**(S4W-29173)**

**Humza Yousaf:** No assistance was provided to the delegation of SNP parliamentarians prior to their visit to Iran by either the Scottish Government or Scottish Development International.

**Tavish Scott (Shetland Islands) (Scottish Liberal Democrats):** To ask the Scottish Government how it, or Scottish Development International, will support any trade mission to Iran following the visit by SNP parliamentarians in December 2015.

**(S4W-29175)**

**Humza Yousaf:** Scottish Development International officials would be happy to receive more information on a proposed trade mission to Iran with regard to dates, companies attending and sectors that it will cover and will take a decision on the level of support it can offer when it has this information.

Following a visit to Iran by SDI officials from 7-9 December 2015, an agreement was reached between Scottish Development International and the Iran Ministry of Petroleum to look at a potential joint oil and gas trade mission to Iran in 2016.