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Scottish Parliament

Thursday 28 June 2018

[The Presiding Officer opened the meeting at 11:40]

General Question Time

NHS Greater Glasgow and Clyde (Out-of-hours Provision)

1. **Jackie Baillie (Dumbarton) (Lab):** To ask the Scottish Government what action it is taking to improve out-of-hours provision at NHS Greater Glasgow and Clyde. (S5O-02289)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): The Scottish Government is working closely with health boards and integration authorities to ensure that a safe and effective general practitioner-led out-of-hours service is provided across Scotland.

Over the past three years, we have invested £25 million to support the delivery of 25 recommendations from Sir Lewis Ritchie's report on GP-led out-of-hours and urgent care services. The recommendations are focused on ensuring that a wider, more resilient multidisciplinary team is in place to support our out-of-hours GPs. In 2018-19, NHS Greater Glasgow and Clyde will receive £1.1 million to support local action. That is in addition to investment to train 1,000 additional paramedics over the course of this parliamentary session, who will play a critical part in the expanding multidisciplinary teams.

Jackie Baillie: I thank the minister for his response and I welcome him to his new role in the health team. NHS Greater Glasgow and Clyde has just announced its vision for the future of acute services. Over 30 services are set to change, including out-of-hours services at the Vale of Leven hospital. There is no clear information on the impact on hospital services, nor is there clarity about the consultation process. Some people more cynical than me have suggested that the health board does not want to consult.

Will the minister give me a guarantee that the information on hospital provision will be provided urgently and that significant service changes such as these will be subject to full consultation? I also issue an invitation through him for the new Cabinet Secretary for Health and Sport to accompany me on a visit to the Vale of Leven hospital.

Joe FitzPatrick: I thank the member for her supplementary question and for her invitation. I see that the cabinet secretary-designate is in the chamber. The member will know my commitment

and the cabinet secretary-designate's commitment to engagement on a whole range of issues. The fact is that the Vale of Leven hospital had many, many years of services being run down by the previous Administration. This Government ended that uncertainty with our vision for the Vale.

Annie Wells (Glasgow) (Con): On Sunday last week, a shortage of GPs in greater Glasgow meant that there were not enough doctors on duty to staff its out-of-hours centres between 1 am and 6 am. That meant that patients requiring urgent medical care were asked to go to accident and emergency, while some had to wait for primary care emergency centres to open again at 6 am.

Given the challenges of GP recruitment and retention in Scotland, how will the minister refresh failed recruitment drives that are known not to be working?

Joe FitzPatrick: There was clearly a specific problem, which Ms Wells has related. That was identified in time for alternative strategies to be put in place and I think that that was the right thing to do because there would have been a danger of people being pointed towards services that would not have been suitable. It was correct that the action was taken in advance of that becoming a problem, but clearly we need to look at what lessons can be learned for the future.

Rural Colleges (National Pay Bargaining)

2. **Gail Ross (Caithness, Sutherland and Ross) (SNP):** I refer members to my entry in the register of members' interests as a board member of North Highland College.

To ask the Scottish Government what flexibility there is for rural colleges in the harmonisation of terms and conditions under national bargaining. (S5O-02290)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): This Government is committed to national bargaining for Scotland's colleges and we are funding in full the costs of harmonisation of pay, terms and conditions. In 2018-19, that amounts to additional funding of £31.7 million. In addition, we have increased rural and remoteness funding by £1 million, to a total of £8 million this year.

Gail Ross: North Highland College in my constituency takes students on block placement from local employers. Some weeks, the students do full-time hours and other weeks they do none. The college finds it a challenge to align its lecturers' weekly hours with the students' needs. How is the Scottish Government working with rural colleges to ensure that they can fulfil their obligations to all their students, lecturers and staff

in line with national bargaining terms and conditions?

John Swinney: We welcome and value the approach that North Highland College and all colleges throughout the country take to adapt learning approaches to individual circumstances to reflect the geography, conditions and communities in which they are active. Therefore, I am keen to ensure that, in the dialogue with North Highland College, the Scottish Further and Higher Education Funding Council has a full and clear awareness of the models that the college uses. We are keen to ensure that those can be reflected in the harmonised terms and conditions that will be brought into place as a consequence of national bargaining.

I suppose that the most direct answer to Gail Ross's question is that the opportunity for dialogue and discussion on all such questions is central to how we resolve North Highland College's particular needs and circumstances. I encourage the college to engage in those questions to ensure that the issues are properly and fully addressed as part of our efforts to deliver a modern and flexible workforce.

Insulin Pumps (Under-18s)

3. David Stewart (Highlands and Islands) (Lab): To ask the Scottish Government what plans it has to increase the funding for and provision of insulin pumps for under-18s. (S5O-02291)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): The latest published data shows Scottish national health service boards' performance for children under 18 years old at 34.4 per cent, which considerably exceeds the ministerial commitment of 25 per cent set in the chief executive letter that was issued in 2012. That commitment was met by 1 April 2015 and was supported by £7.5 million of Scottish Government funding.

We expect NHS boards to provide insulin pumps to all clinically suitable children and young people once structured education and pump training are completed. We will continue to keep the support of that important area of work under review.

David Stewart: I welcome the minister to his new role in the health team. Does he accept that pump therapy cuts hospital admissions, reduces long-term complications and improves quality of life? Does he share my view that we need to do more to support young people with insulin pump therapy and continuous glucose monitoring by ending the postcode lottery and boosting Scottish pump usage to levels that are experienced in Europe and the USA?

Joe FitzPatrick: I thank the member for his welcome. He makes a lot of good points. I recognise his interest in the field as convener of the cross-party group in the Scottish Parliament on diabetes.

We expect NHS boards to provide that life-changing technology when it is clinically appropriate. The additional funding that the Scottish Government provides is to support NHS boards' efforts to increase the level of provision of insulin pumps. That funding has been allocated taking account of the need to reduce the gap between the lowest and highest levels of provision. In discussions about the pump services, we need to take account of levels of local investment and comments by local boards. However, I agree that, for many people, pumps and glucose monitoring equipment make a real difference. We need to think about how we can ensure that they are available when clinically appropriate.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Will the minister use his considerable influence to have NHS Borders roll out the FreeStyle Libre system across the area? At the moment, it is only on trial and the people who are on the trials, which are successful, are worried that it will be withdrawn from them.

Joe FitzPatrick: NHS boards are taking a phased approach and made the decision to prescribe FreeStyle Libre to 50 patients in the first instance to allow staff to deliver the education that is required within the resources that are available to the teams.

Kenneth Gibson (Cunninghame North) (SNP): I am delighted that Ayrshire and Arran NHS Board uses flash glucose monitoring technology, which means that many people who live with diabetes do not have to do regular finger-prick tests. That technology is easier to use, less painful and improves people's self-management. It is also cost-effective for people with diabetes who are treated with insulin and test frequently. What plans are there to ensure access throughout Scotland to that life-changing technology?

Joe FitzPatrick: I recognise Mr Gibson's interest in this field. The area is one that was raised in the chamber last week, and I refer members to Aileen Campbell's extensive answer.

Each national health service board must consider the inclusion of a drug or device in its local formulary in the context of its local population and priorities, while managing its budgets and resources effectively. Because there is a limited amount of good clinical trial data to support long-term clinical evidence on the benefits and cost-effectiveness of FreeStyle Libre, some NHS

boards have decided to wait for the Scottish health technologies group's advice statement, which is due in July. I look forward to the SHTG's advice statement, which I expect to be a valuable source of advice on which NHS boards will base their final decisions on how FreeStyle Libre should be prescribed in the longer term.

Placement Moves (Young People in Care)

4. **Kezia Dugdale (Lothian) (Lab):** To ask the Scottish Government what the average number of care placement moves is for young people. (S5O-02292)

The Minister for Children and Young People (Maree Todd): For the 14,897 young people in care on 31 July 2017, the average number of care placements was 2.3. Just under half the young people in care on 31 July 2017 were in their first placement.

Kezia Dugdale: Last week's attainment statistics told us that 48 per cent of care-experienced school leavers who had had just one placement achieved a level 5 qualification or better, but the figure fell to just 19 per cent for those who had been moved three times or more in their childhood.

The evidence is clear. We do not need to wait for the independent care review to report. What urgent action does the minister intend to take to reduce the number of times that care-experienced young people are moved throughout their childhood?

Maree Todd: Tackling inequality is at the heart of the Scottish Government's agenda. As part of that, we are committed to improving all aspects of the lives of looked-after children, so that they can reach their full potential during education and beyond.

As Kezia Dugdale highlighted, the proportion of looked-after school leavers with one or more qualifications at Scottish credit and qualifications framework level 5 or better has continued to increase. Since 2009-10, it has more than doubled, from 15 per cent to 44 per cent.

Multiple placements occur in a myriad of different circumstances. As Kezia Dugdale said, the relationship between the number of placements and adverse outcomes for young people is very well established. Through the permanence and care excellence programme, we are beginning to see a reduction in drift and delay in the system, as more children achieve permanence.

Kezia Dugdale mentioned the independent care review, which is now in its journey phase. I am absolutely sure that it will look at the impact of the

journey between placements, and I look forward to welcoming its findings.

Michelle Ballantyne (South Scotland) (Con): Given the announcements that were made yesterday, in which it was acknowledged that looked-after young people are disproportionately more likely to become homeless, what actions is the Government taking to ensure that young care leavers are ready for independent life and to reduce their chances of becoming homeless?

Maree Todd: As Michelle Ballantyne knows, we have a number of measures in place to support the implementation of continuing care. Since 2015-16, we have paid £4.2 million annually to local authorities for the implementation of continuing care, and that will rise to £9.3 million by 2019-20. In addition, we are working with local authorities, through staff and the continuing care focus group, to gather information on the use of continuing care and to resolve any issues.

We are working very hard in this area. I am more than happy to meet Michelle Ballantyne, along with my colleague the Minister for Local Government and Housing, who has done a great deal of work on preventing homelessness, to fully apprise her of all the measures that we are taking in our work in this extremely challenging area.

The Presiding Officer (Ken Macintosh): Question 5 has not been lodged.

Highlands and Islands Airports Ltd (Car Parking Charges)

6. **Tavish Scott (Shetland Islands) (LD):** To ask the Scottish Government whether it considers that Highlands and Islands Airports Ltd's decision not to consult regarding car parking charges at some island airports is consistent with the provisions of the Islands (Scotland) Bill. (S5O-02294)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): HIAL has consulted on the implementation of the extension of car parking charges to Stornoway, Kirkwall and Sumburgh airports. HIAL has taken account of the responses to its consultation work and has made changes to its implementation of the charges as a result. That includes making free parking available at Sumburgh airport for the use of inter-island travellers, extending the free drop-off and pick-up period from one hour to two hours and allowing blue badge holders to park free of charge. I am also aware of specific measures that HIAL will be taking to offer free parking to those travelling by air for national health service appointments and those travelling under Loganair's compassionate travel policy. I particularly welcome those steps.

Tavish Scott: I welcome the minister to his new position of responsibility for the islands and forgive

him for not answering the question. Will he bring an open mind to the issue and accept that there has not been any proper consultation on the matter, nor what the councils and community councils have asked for, which is a full impact assessment? Will he use his considerable abilities to tackle the problem and insist that those two things happen?

Paul Wheelhouse: I thank Tavish Scott for his kind remarks, and I certainly hear what he is saying about the matter at hand. I am keen to listen to stakeholders in the islands, and I am happy to meet Tavish Scott at any time on any matter to do with the implementation of the Islands (Scotland) Bill, because I am keen to work with him and other island members on that. However, I point out that HIAL has made some important changes, and I hope that Mr Scott welcomes them. I am keen to hear from him if anything further can be done.

Jamie Halcro Johnston (Highlands and Islands) (Con): I welcome the minister to his new position. The move by HIAL to introduce parking charges was at least financially motivated. Today, we have seen Loganair, the main operator serving the islands, announce significant losses. Both organisations will be looking for certainty about the Government's future approach to island aviation and road equivalent tariff on ferry fares, which will undoubtedly have an impact on their businesses. With that in mind, can the minister clarify when the pledge to introduce RET on the northern isles routes will be delivered on?

Paul Wheelhouse: That matter will obviously be high on the agenda for the cabinet secretary-designate, Mr Matheson, and me to discuss. I am happy to meet Mr Halcro Johnston to talk about such matters and their importance to the islands' economies. Although this is early in my new portfolio, I am aware of how important the RET issue is to the islands' economies and I am keen to discuss that with all members.

Drug Abuse Deaths (Ayrshire)

7. **John Scott (Ayr) (Con):** To ask the Scottish Government what action it is taking to reduce the death rate from drug abuse in Ayrshire in light of reports that it has more than trebled since 2010. (S5O-02295)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): A range of measures have been taken by alcohol and drug partnerships in Ayrshire. A pan-Ayrshire drug death prevention framework was published in May, which followed on from an Ayrshire-wide drug death conference in November 2017. Work to reduce the number of drug deaths is being supported by local drug death prevention groups,

as well as by the pan-Ayrshire drug death prevention group.

Nationally, the Scottish Government has invested over £746 million to tackle problem drug and alcohol use since 2008, and we will allocate a further £20 million a year to support the improvement of treatment services. We will also publish a substance use strategy later this summer, which is being developed in recognition of the changing drug landscape in Scotland, not least the complex health needs of people with problematic drug use.

John Scott: Mr FitzPatrick will have been as disappointed as I was to learn that the crude mortality rates for drug-related deaths by national health service board of residence between 2009 and 2016 show that Ayrshire has the highest rate in Scotland at 23 per 100,000 of the population. I welcome what Mr FitzPatrick has just said, but, given that that increase in the number of drug-related deaths is happening right across Scotland, does the cabinet secretary agree that the current method of dealing with the growing problem has not worked and that it is time for the Scottish Government to take a new approach to addressing a problem that blights Ayrshire and Scotland?

Joe FitzPatrick: I thank the member for the rapid promotion that he gave me, although I am sure that it was not deliberate.

I recognise the very serious nature of the problem that he has raised and accept that we cannot take the matter lightly, which is why we are looking to develop a new strategy. I will work with any members who have suggestions about how we can take that work forward. I met two members earlier today to discuss the issue, and I am keen to meet Mr Scott if he has some particular ideas. I know that, in his local area of south Ayrshire, we have expert advice from Kenneth Leinster, who is the head of community health and care services. He is one of the experts whom we are working with in developing a strategy to address the changing landscape of drug use. However, if the member—or any other member across the chamber—has any suggestions about how the strategy should be developed, my door is open.

First Minister's Question Time

11:59

Prisoners (Sentencing and Release)

1. Ruth Davidson (Edinburgh Central) (Con): Michelle Stewart was murdered in the Ayrshire village of Drongan on 14 November 2008. She was 17 years old. Her killer, John Wilson, having lain in wait for Michelle, stabbed her 10 times and was sentenced to life. The judge made it clear that he should serve 12 years before he could apply for parole but, on Saturday, just nine years later, Michelle's sister Lisa received a letter from the Scottish Prison Service, which informed her that Wilson has now been

"approved for First Grant of Temporary Release."

It went on:

"Temporary Release includes release for work etc, home leave, short leave, pre-release leave and unescorted day leave."

If the First Minister were in that family's shoes, what would she think of receiving that letter?

The First Minister (Nicola Sturgeon): I take this opportunity to convey my deepest condolences to the family. If I was in their shoes, I would be very upset to see that letter, as I think every family would be. We have independent processes in place to determine the guilt or otherwise of individuals who are accused of crime and to determine sentences. As Ruth Davidson is aware, we also have independent processes in place to determine whether prisoners should be eligible for parole or other forms of release.

I will certainly look closely at the individual case that Ruth Davidson has raised. As I say, those decisions are taken independently but, from a policy perspective—I have made this point previously in the chamber—where we consider that changes are required, we will not hesitate to make those changes. However, it is important that our justice system operates independently of ministers in individual cases. I believe that members across the chamber agree with that.

Ruth Davidson: John Wilson was given a life sentence for murdering Michelle, but he will not serve life in prison. He will not even remain behind bars for the 12-year minimum that was recommended. He has been approved to be released unescorted back into the community in a little under 100 months. This week, we spoke to Michelle's family, and Kenny, her father, says this:

"This was a pre-meditated murder. Why is he being considered for temporary release now when the judge said he should serve at least 12 years? How does this send the right message about Scottish justice? How is this a deterrent?"

When families such as those of Michelle Stewart say that they feel completely let down by the justice system, can the First Minister understand why?

The First Minister: I do not know the particulars of the case, which is why I said in my first answer that I will look carefully at the details. In terms of parole—from what Ruth Davidson has said, I am not sure that it is a case of parole—prisoners require to serve a certain portion of their sentence before they can apply for parole. Temporary release is part of the rehabilitation process, and decisions on that are taken very carefully by the Scottish Prison Service. Risk assessments are made, and I am sure that that will have happened in this case.

Of course, none of that takes away from the upset that any family who has gone through such trauma will feel when the person who has been found guilty is released, even if that is part of a rehabilitation process. As Ruth Davidson and I have discussed in the chamber before, it is important that we have processes in place that help with the rehabilitation of prisoners, but it is also important that the Prison Service and the Parole Board for Scotland get individual decisions right. As I have said twice now, I am not familiar with the details of the case and why those decisions have been taken, but I give Ruth Davidson an undertaking that I will look into the particulars and the detail. I am happy to correspond with her in greater detail when I have had the opportunity to do so.

Ruth Davidson: The First Minister is right that this is a specific case, but the reason for raising a specific case is that the sense of injustice that is felt by Michelle's family is not an isolated example. It is felt by grieving families right across Scotland, such as the family of Craig McClelland, who was killed by a convicted criminal who had been illegally at liberty for six months after breaching his licence; the family of Moira Gilbertson, who was murdered by her ex-partner, who had been allowed to walk free despite having beaten her up following his release from his sentence for a previous murder; or the family of Linda McDonald, who was brutally attacked last year by Robbie McIntosh just days after he had been released on home leave following a previous conviction for murder. We keep being told that criminals have rights that need to be respected, but who in the Scottish Government is standing up for victims' rights? What reforms are being delivered now to correct those injustices?

The First Minister: First, some of the cases that Ruth Davidson cited relate to home detention curfew. It is the case that home detention curfew is used only for a very, very small proportion of the

prison population, and careful assessments are made.

When things happen that all of us regret, lessons are learned. The former Cabinet Secretary for Justice established reviews, to be undertaken by Her Majesty's inspectorate of constabulary in Scotland and by HM prisons inspectorate for Scotland, to make sure that we are learning those lessons.

I appreciate and accept that there are general principles at stake here. One of those principles is how we ensure that we are doing everything possible to rehabilitate those who have committed crimes, because that is in the interests of victims of crime and it is in the interests of society overall.

As I have said previously, none of what I say in the general sense is intended in any way to take away from the experiences of individual families in individual cases. Generally, Ruth Davidson tries to suggest that somehow the justice system in Scotland is loaded in favour of those who commit crimes and not victims; I do not accept that that is the case.

We have one of the highest prison populations in the whole of western Europe. One of the reasons for the reforms that we are undertaking is that we know that for many prisoners—and I am not talking about specific cases right now—prison is not the most effective form of sentence.

It is right that people are punished appropriately—I absolutely agree with Ruth Davidson about that—and it is absolutely right that the interests of victims are at the centre of our justice system, but we also owe it to victims and society to make sure that we have a justice system that effectively rehabilitates those who are capable of rehabilitation.

Those are never easy balances to get right, but as Ruth Davidson herself has acknowledged, and as her colleagues south of the border frequently acknowledge, it is important that we continue to make sure that we take all those factors into account in our justice system. We will continue to do so.

Ruth Davidson: The First Minister reshuffled her Cabinet this week, so we will have a new Cabinet Secretary for Justice in place. Here is what we need from him: we need a root-and-branch review of the way in which the justice system is operating; we need greater transparency on sentencing, so that people such as the Stewart family are told honestly what is going to happen when someone is convicted; we need victims to have a right to speak at parole hearings—a right that currently they are denied; and, when so many offenders are committing crimes while out on parole or home release, we need to rebalance the system in favour of the law-abiding public.

We all want to have confidence in the justice system. Is it time that the Scottish Government ordered such a review, so that confidence can be restored?

The First Minister: Before I address the substance of Ruth Davidson's question, let me say that I would be very happy to ask the new justice secretary—assuming that the Parliament approves his appointment shortly—to offer to meet the Stewart family, to hear directly from them about their experiences.

Ruth Davidson talks about the process of parole decisions. As I think that I have said in the chamber before, discussions are under way with the Parole Board for Scotland on further reforms and possible development of the rules of procedure by which the board operates. That review will include consideration of whether changes should be made following the United Kingdom review of the Worboys case.

We are absolutely committed to ensuring that the parole process is as open and as transparent as possible. Of course it must operate independently of ministers, as I hope that everyone agrees.

On wider review, two reviews are already under way, as I said, after a case that Ruth Davidson mentioned previously, and I think that it is right that we take time to hear the conclusions of those reviews before we consider whether other action is required.

We will continue to make sure that we have a justice system that reflects the needs and interests of victims, that assists us in helping to reduce crime and that allows us, where possible, to aid the rehabilitation of prisoners, because that is in everyone's interests, at the end of the day.

Education

2. Richard Leonard (Central Scotland) (Lab): Yesterday, the signatures of more than 25,000 people, who are demanding that this Government values education and values our teachers, were delivered to the Government. If education really was the driving and defining mission of this Government, the Educational Institute of Scotland would not have to send such a message to the Deputy First Minister, would it?

The First Minister (Nicola Sturgeon): There is a pay negotiating process for education in place, and the negotiations for the next pay award are already under way. The body that takes those negotiations forward for education is comprised of the Convention of Scottish Local Authorities, the Scottish Government and the teaching unions. As a proud trade unionist, I would have thought that Richard Leonard would support the negotiating process that we have in place. I understand that

those negotiations are making good progress. I hope that they conclude well and soon.

Finally, it was the Scottish Government, ahead of the United Kingdom Government and the Labour Welsh Government, that lifted the 1 per cent pay cap. I was very proud this week that it was also this Government that proposed a 9 per cent increase over the next three years for those working in our national health service.

The Government's record is good and we will continue to take the decisions that are in the interests of our public service workers.

Richard Leonard: The First Minister has told us repeatedly that education is her top priority. However, for two years, the Government has wasted time on an education bill that its own international advisers have warned is unnecessary and misguided. This week, John Swinney finally got the message. He can spin all he likes that ditching the bill is fast-tracking the reforms, but nobody believes it. It is also clear that John Swinney is now reaping at education what he sowed at finance.

Less than three weeks ago, John Swinney told the Scottish National Party conference that we are witnessing a "renaissance" in Scottish education, but a renaissance of what? Rising class sizes? Flagship legislation shelved? Overworked, underpaid and demoralised teachers preparing to ballot for industrial action?

The First Minister: Richard Leonard said that nobody believes that our education reforms are being fast-tracked and accelerated. I hate to be the one to break it to Richard Leonard, but the Labour members of COSLA believe it, because every single party that is represented on COSLA signed up to the agreement. The fact is that the reforms are being fast-tracked. The agreement means that implementation of the reforms will start now instead of having to wait 18 months for the passage of the legislation. Crucially, the agreement will see the new headteachers' charter begin to be implemented this year.

I suspect that the reason why Richard Leonard and his colleagues are so upset about this is that they have been denied the opportunity to play politics with education during the passage of a bill and to frustrate and undermine the reforms. Instead, the Government is getting on with the job. Budgets in education are rising. More money is going to headteachers. Important reforms are being implemented more quickly, and the attainment gap is starting to close. We will get on with the job and leave Labour to carp from the sidelines, as usual.

Richard Leonard: The two main themes of this final week of term have been the Government's

record on education and the politicians who Nicola Sturgeon chooses to serve in her Government.

Gillian Martin described transgender people as "hairy knuckled lipstick-wearing transitional transgender laydees"

and she claimed that college public relations staff

"froth at the mouth with excitement if anyone in a wheelchair does anything that can be remotely described as an achievement."

Minutes ago, Gillian Martin's name was removed from the list of new ministers. However, the point is that the First Minister knew about those comments and still proposed to put Gillian Martin in charge of further and higher education. In the end, this is not just about Gillian Martin's judgment; this is about the First Minister's judgment, is it not?

The First Minister: After First Minister's questions, we will come to the issue of ministerial appointments and I will address that issue directly at that time.

Richard Leonard opened his question by talking about this week's themes. Let me just give him a flavour of this week's themes from the perspective of the Scottish Government: NHS Scotland workers were given a 9 per cent pay rise; £20 million is being invested to lift people out of homelessness; a new target for fuel poverty has been set; and funding for university research and innovation is being increased. Those are the things that the Government has been working on and they demonstrate day in and day out that the Government is focused on getting on with the job of building a better Scotland.

The Presiding Officer (Ken Macintosh): We have a number of constituency supplementaries, the first of which is from Sandra White.

Sauchiehall Street (Fires)

Sandra White (Glasgow Kelvin) (SNP): I have met local residents and businesses that have been affected by the recent fires in Sauchiehall Street at the Glasgow School of Art and at Victoria's nightclub. They have raised concerns, most of which are not individual issues but issues about the future of Sauchiehall Street, which is a much loved and great area in the city of Glasgow. What assistance can the Scottish Government provide to support those who are affected and to ensure that Sauchiehall Street has a future?

The First Minister (Nicola Sturgeon): I am aware that the fire at the Glasgow School of Art has had an enormous impact on businesses and households across Glasgow, which is why we have been working very closely with Glasgow City Council to offer support to those who are affected. Later this afternoon, the finance secretary will set

out details of a new hardship and relief fund for residents who have been displaced from their homes. The Scottish Government will make £1,500 available to each household, and that money will be match funded by the council, which will make a total of £3,000 available to each household. In addition, we will confirm increases in support for affected businesses. We will increase the amount that the Scottish Government contributes towards business rates from 75 to 95 per cent.

Many of the people who were affected by the fire at Victoria's nightclub will also have been impacted by the Glasgow School of Art fire, and they will be eligible for the support that we are announcing today. We stand ready to discuss with the council what more we can do to support it and everybody who is affected by the tragic fire.

NHS Grampian (Cancer Care)

Mike Rumbles (North East Scotland) (LD): The latest figures, which have just been released, show that in the Grampian NHS Board area nearly 25 per cent of patients who are urgently referred with a suspicion of cancer fail to receive their first treatment within two months of that referral, which is the worst rate in Scotland. The First Minister knows that NHS Grampian has lost out on £165 million under her NHS Scotland resource allocation committee formula over the past nine years. Will she take action to ensure that NHS Grampian has the resources that are available to every other health board to tackle the crisis in cancer care in the north-east?

The First Minister (Nicola Sturgeon): As a result of the Government introducing the NRAC formula, which replaced the Arbutnott formula, health boards that are under parity have been taken closer to parity than they have ever been. That is the action that has been taken by this Government that was not taken by previous Governments of which the Liberal Democrats were members.

The figures that have been released this week show that we have work to do with boards, including Grampian NHS Board, to improve cancer waiting times. The 62-day waiting time target is from referral to treatment. The median wait across Scotland is 43 days. In the past year, there has been an increase in the number of patients who have been treated within the target—the number of patients who are treated within it has gone up by more than 7 per cent. We continue to work closely with boards, including Grampian NHS Board, to ensure that there will be further improvements as quickly as possible. That will be a key priority for the new health secretary.

Stranraer (Regeneration)

Finlay Carson (Galloway and West Dumfries) (Con): In April 2013, Nicola Sturgeon visited Stranraer to chair the meeting of a task force that was set up to regenerate the area after ferry operator Stena Line moved to nearby Cairnryan. Despite the Scottish Government promising the people of Stranraer that it was committed to the regeneration of the town, it is now almost seven years since the ferries left. Stranraer has been badly let down.

The expansion of the existing marina is key to stimulating local regeneration and is a shovel-ready project. Will the First Minister give a commitment to the people of Stranraer that she will do everything that she can to ensure that the required financial resources are made available to progress the project sooner rather than later?

The First Minister (Nicola Sturgeon): We work with local councils, including the council that covers Stranraer, on regeneration, and we have done so every year that the Government has been in office. The new Cabinet Secretary for Transport, Infrastructure and Connectivity will be happy to have discussions with councils about what more we can do. We have already announced and are taking forward plans for a new enterprise agency for the south of Scotland, and the interim arrangements have been backed by £10 million of additional funding. The agency will ensure that actions are taken to support regeneration and business activity, which is a positive development that, I hope, Finlay Carson would welcome.

Education

3. Patrick Harvie (Glasgow) (Green): I believe that when Opposition parties criticise the Government for a course of action and the Government then ends that course of action, they should welcome it. Therefore, I am pleased to see that the education bill has been dumped—for the time being, at least.

However, we will continue to criticise the proposals that were in the bill because they were criticised not only by those who instinctively attack the Government for everything or who play party politics. They have been criticised across the political spectrum and by teachers, parents, academics and others. Do those people, in particular teachers and pupils, not have a right to be told that the action is not just the end of a bill, but represents a change in direction and a commitment to resourcing our education system properly, in order to make teaching once again the attractive profession that it needs to be? That will take money and not just the scrapping of a single bill.

The First Minister (Nicola Sturgeon): As I said to Richard Leonard, we are committed to the reforms that we have embarked upon. As was set out in the Deputy First Minister's statement earlier this week, those reforms will be fast tracked and accelerated. That is in the interests of pupils, teachers and parents across the country.

Investment in education is increasing, including the amount of money that is going directly to headteachers to empower them by allowing them to invest resources in ways that help to close the attainment gap. We are also making greater investment in the teaching profession. As I said earlier, negotiations on a pay settlement continue.

All that is important; it is also important that we do not take the advice of Patrick Harvie and others, but continue to take forward the changes, because they are already leading to improvements. Record numbers of young people are achieving positive destinations; a record percentage of young people are getting five highers; the attainment gap in our schools is continuing to close; there are improvements in literacy and numeracy; and access to university and to higher education more generally is widening. Those outcomes are important: it is equally important that we continue the action that will see such improvements continue and gather pace.

Patrick Harvie: We will continue to make the case that the Scottish Government should not force through structural changes, as opposed to resourcing changes, for which it does not have a majority in Parliament.

However I would like to end with a positive proposal in education and a question about something that the Government should be doing, rather than something that we think it should not be doing.

This is the third anniversary of the time for inclusive education campaign, which seeks an education system that meets the needs of Scotland's lesbian, gay, bisexual, transgender and intersex young people. The TIE campaign has political support from across the spectrum. I am pleased to see so many members wearing the TIE campaign's rainbow tie in the chamber today. *[Applause.]*

Will the Government give a commitment not to let the fourth anniversary of the TIE campaign pass without making the goal of truly LGBTI-inclusive education a reality in Scotland's schools?

The First Minister: I am very proud to wear the TIE badge today. I take this opportunity to congratulate the TIE campaign on its third anniversary. The campaign is driven mainly by young people, which is an inspiration to young people across Scotland and is showing the power

of their voices to make positive and progressive change. I pay tribute to the TIE campaign for its positive example—as I am sure all MSPs do.

As Patrick Harvie knows, the Scottish Government is working with TIE to

“promote an inclusive approach to sex and relationships education”.

That work is being done through the LGBTI inclusive education working group, which is chaired by the Association of Directors of Education in Scotland. The group includes representation from the Scottish Transgender Alliance, LGBT Youth Scotland and Stonewall Scotland. Recommendations from the working group are expected in autumn 2018. At that point, I am sure that everyone in Parliament will have an interest—the Government and I certainly will—in ensuring that the group's recommendations are implemented as quickly as possible.

Health

4. Willie Rennie (North East Fife) (LD): There is a general practitioner shortage threatening out-of-hours services from the east coast to the west coast; mental health waiting times are skyrocketing; we have the worst cancer treatment waiting times in six years; accident and emergency waiting times targets have been missed for months on end; and operations have been cancelled because surgical equipment is not being sterilised for use. With there being a multimillion pound shortfall in the health board budgets, the British Medical Association says that the national health service in Scotland is getting worse and is letting down patients and staff.

The First Minister has replaced her health secretary, but can she tell us what new policies the new health secretary will now pursue to clean up that mess?

The First Minister (Nicola Sturgeon): For weeks Willie Rennie has been standing up saying that the health secretary has to change. Now that the health secretary has changed, he stands up and says that it is not the health secretary but the policies that have to change. Consistency has never been a particular strong point of Willie Rennie's.

We will continue to invest record sums in the national health service, we will continue to employ record numbers of staff in the national health service, we will continue to make sure that we are rewarding them for the work that they do, and we will continue to progress reforms including integration of health and social care, through transfer of more care into the community and shifting the balance of care, which we know is so important to the future of our NHS.

We are also investing more in additional training places across the spectrum of health service employees. We will continue with that important work of investment and reform. It is that work that is delivering, and will continue to deliver, for patients, which is why there is still, in this country, such high patient satisfaction with our precious NHS.

Willie Rennie: The First Minister needs to know that it is the policy and the leadership of the NHS that count. I am not hearing a commitment to change from the First Minister. That is perhaps why her own survey shows that people judge her performance on the NHS to be getting worse.

If there is one crisis in the NHS, there is another in Scottish education: nursery education roll-out that is driving childminders and nurseries out of business; five-year-olds being made to sit utterly pointless tests; the college sector hollowed out; and now the shambles of a cancelled education bill. Scottish education used to be the best in the world. Now it is just average—letting down teachers and letting down pupils.

Given that the First Minister's own growth commission says that the NHS and education would face years of added cuts, can she honestly look Scotland in the eye and say that now is the time to hit the independence red button?

The First Minister: I do not think that Willie Rennie does himself any credit with the ridiculous hyperbole of that rambling and incoherent question.

This is the Government that has already increased childcare and is now working to double childcare for families and children right across the country. This Government is overseeing, right now, a narrowing of the attainment gap, with record higher passes for our young people and more of our young people than ever going on to positive destinations after school.

We saw in an Audit Scotland report about colleges just last week that this Government has not merely met its target for places at colleges: we have exceeded the target for the number of young people at colleges. Despite—and contrary to—Willie Rennie's ridiculous assertions, this is a Government that is getting on with the job of improving education in the early years, schools, colleges and universities. That is exactly what we will continue to do.

The Presiding Officer: We have some more supplementaries. The first is from John Scott.

Carbon Dioxide Supply

John Scott (Ayr) (Con): I declare an interest as a farmer.

The First Minister will be aware that stocks of carbon dioxide are dwindling across Europe, with several manufacturing plants not producing it for a variety of reasons, which is leading to difficulties in Scotland's food and drink sector and to the closure of abattoirs, as well as reducing manufacturing capacity in our drinks sector at a time of peak demand. Are there interim measures that the Scottish Government can take to help businesses that are facing very real difficulties until normal production is restored? If so, perhaps the First Minister could provide the food and drink sector, and other vital industries of which she will be aware, with the detailed reassurance that they require.

The First Minister (Nicola Sturgeon): Those are issues in which the Cabinet Secretary for Rural Economy and Connectivity is very closely engaged to support our businesses, farmers and the food and drink sector across the country. He will be happy to write John Scott setting out in more detail the actions that we are taking and will continue to take.

However, I will say that our food and drink sector is one of the most successful sectors of our economy, partly because of the support that this Government has given to it over an extended period, which we will continue to give. The Tories will not like what I am about to say, but one of the biggest risks to our food and drink sector is the barriers to exports and trade that come from Brexit, so perhaps John Scott, as well as rightly raising such issues with the Scottish Government, could raise his voice to his United Kingdom Government colleagues and demand that they take action to give the certainty around trade that our food and drink sector, agriculture sector and every other sector of our economy so badly need.

Two-child Cap

Gail Ross (Caithness, Sutherland and Ross) (SNP): I remind the chamber of my role as parliamentary liaison officer to the First Minister.

Department for Work and Pensions figures released this morning show that thousands of families in Scotland have been hit by the Tories' two-child cap. Of the women hit by that cap, 190 were granted exemption under the rape clause, 10 of them in Scotland. Does the First Minister agree that no woman—not a single one—should have to relive the terrible experience of rape just to get the benefits to which they are entitled, and that it is time to scrap the cap?

The First Minister (Nicola Sturgeon): Those statistics are really horrifying. This chamber has debated the rape clause on several occasions in the past and, although it has always been really moving and many people have been very distressed by those discussions, it has always, I

guess, debated it in the abstract. Today, we see evidence for the first time of the real-life impact of the two-child cap and the rape clause on real women—190 across the United Kingdom, 10 of them in Scotland. Those women are having to disclose the fact that they have been raped and that that rape led to the conception of their child in order to access state support for that child. That is horrifying, grotesque and a stain on the reputation of the Conservatives and the Conservative Government at Westminster. The sooner we get rid of the two-child cap and the rape clause, the better. As First Minister, I say that as long as I am First Minister there will never, ever be such policies in Scotland.

Piper Alpha Disaster

Liam Kerr (North East Scotland) (Con): On 6 July, families, friends and industry representatives will gather at the Piper Alpha memorial garden in Aberdeen to remember the 167 men who lost their lives in the Piper Alpha disaster 30 years ago that day. The tragic events of that night are long past, but, for so many people across the north-east and beyond, the pain, loss and suffering will never fade. Does the First Minister agree that we must never forget those who lost their lives, nor the family members and friends affected, and that we must ensure that the highest possible standards of safety are maintained offshore, to protect those who make their living on and around the rigs?

The First Minister (Nicola Sturgeon): I agree whole-heartedly with Liam Kerr and thank him for raising the issue in the chamber. Many of us across the chamber vividly remember the Piper Alpha tragedy and the impact that it had, not just on the north-east of Scotland—although most importantly there—but on everybody right across our country. First, yes, it is important that those affected—those who lost their lives and their families and friends—remain very much in our thoughts at this particular time. Secondly, and importantly for the future, safety in the North Sea is something that must never, ever be compromised on.

Over the past three years or so, during the tough times that the oil and gas sector has had, I have had many discussions with companies and interests in the North Sea. Safety has always been at the heart of those discussions, and that is how it must always be. However, for now, and over the next few weeks, I know that all of us across the chamber will be thinking of all those affected by the tragedy of Piper Alpha.

International Trade (Impact of Tariffs)

5. **Richard Lochhead (Moray) (SNP):** To ask the First Minister what assessment the Scottish Government has made of the potential impact on

Scotland of a trade war between the United States and Europe following the recent imposition of new tariffs. (S5F-02514)

The First Minister (Nicola Sturgeon): We are very concerned that the US decision to impose tariffs on steel and aluminium, and the subsequent European Union decision to impose tariffs on a range of US products, will escalate into a full-blown trade war. That will affect Scottish producers and the Scottish economy. The United States is Scotland's largest international export market, worth £4.8 billion in 2016. The imposition of tariffs on bourbon and related spirits, in particular, increases the risk of US measures on Scotch whisky. That could have a significant impact on an industry that provides around 10,000 full-time equivalent jobs in Scotland and, of course, a similar number in the wider supply chain.

Richard Lochhead: I thank the First Minister for her answer and welcome the fact that she shares my concern that the potential impact of a trade war is compounded by Europe's decision to impose tariffs on American whiskey and bourbon in response to Donald Trump's decision to impose tariffs on aluminium and steel, given that the US is the Scotch whisky sector's most successful global market, worth £900 million in 2017 alone.

Does the First Minister share my disappointment that it appears that the United Kingdom Government did not formally object to the decision by the EU to add American whiskey and bourbon to the list of tariffs? Will she make representations to the UK ministers and EU authorities to ensure that we can minimise any potential impact on the Scotch whisky sector and will she closely monitor the situation in the times ahead?

The First Minister: The Scottish Government will monitor the situation very closely, such is its seriousness for the Scotch whisky sector and other sectors of our economy.

It was disappointing that the UK Government felt unable formally to object to the inclusion of bourbon on the list, given the potential impact that we know that that could have on Scotch whisky. If further tariffs on whisky or other key products were to be introduced by the US Administration, we would expect the UK Government to mitigate, or to compensate businesses for, the damage that would be done to export markets.

However, we will continue to engage with the UK Government and to do all that we can to protect the interests of the whisky sector, which is so important to our overall economy.

Scottish Canals (Finance)

6. **Edward Mountain (Highlands and Islands) (Con):** To ask the First Minister what action the

Scottish Government is taking regarding Scottish Canals' financial situation. (S5F-02515)

The First Minister (Nicola Sturgeon): Scottish Canals carries out vital work in managing Scotland's waterways. The Scottish Government is the main source of funding for the organisation, although it also has other sources of income, including investments and commercial revenue. In this year's budget, we increased our funding from £10 million in 2016-17 to £11.6 million, which is a rise of 16 per cent. We also increased the organisation's capital allocation by £500,000, to £3.5 million.

However, we are aware of the financial difficulties that Scottish Canals has faced due to the enforced closure of bridges on the Forth and Clyde canal, so I am pleased to be able to confirm today that we will provide an additional, just over £1.6 million of capital grant-in-aid, to enable Scottish Canals to repair the Bonnybridge and Twechar bridges and also to carry out further work at Ardrishaig pier.

Edward Mountain: I thank the First Minister for her answer, and also for ensuring the extra investment. However, the problem is that Scottish Canals still faces a shortfall of some £70 million for outstanding repairs

Recently, Scottish Canals has been more interested in investing in shops, holiday lettings and commercial ventures than in repairing waterways. [*Interruption.*] If Scottish National Party members do not agree with me, they should look at Scottish Canals' asset management strategy, which highlights that very fact. The last thing that it quotes as a priority is:

"when funds allow, facilitates navigation".

Will the First Minister ensure that Scottish Canals keeps our canals open across all of Scotland, including the Highlands?

The First Minister: Edward Mountain should look at the resurgence of canal traffic in Scotland, and perhaps visit Falkirk or parts of Glasgow, and then he would see that the premise of his question is completely misguided and, frankly, utterly wrong.

Like many parts of the public sector in Scotland, Scottish Canals is under financial pressure. I have to say that if we had followed the Tories' recommendations in the Scottish budget we would not have been able to announce—as I have just done—the additional money for Scottish Canals, because we would have been looking for £500 million worth of cuts.

Edward Mountain also complains about Scottish Canals' other activities. Those are partly about bringing in additional commercial revenue, and are all activities that should be welcomed. Scottish

Canals has done a very good job. It does face financial pressures, but this Government will continue to work with it to ensure that it can address them, just as I have demonstrated with the announcement of additional money today—money that would not have been available had we followed the advice of the Scottish Conservatives.

Ministers and Junior Ministers

The Presiding Officer (Ken Macintosh): The next item of business is a debate on motions S5M-13018 and S5M-13017, in the name of Nicola Sturgeon, on the appointment of Scottish ministers and junior Scottish ministers. Members should note that the questions on the motions will be put immediately after the debate.

I will invite the First Minister to speak to and move the motions. I will then invite party representatives to make short speeches and the First Minister to reply.

12:39

The First Minister (Nicola Sturgeon): Before I turn to the nominations for which I seek approval today, I confirm to the chamber that, with regret, I will not be asking Parliament to approve the appointment of Gillian Martin as a minister. In the course of this morning, information about content on a blog that was written by her more than 10 years ago was brought to my attention. I was not previously aware of all the comments of which I am now aware. I have to say that that content—however ill advised it may have been—does not reflect the views of the person that I know in Gillian Martin. However, the content merits my further consideration and I will, therefore, not ask Parliament to approve her appointment until I have had the chance to reflect further.

I rise to seek Parliament's agreement that Shirley-Anne Somerville, Michael Russell, Jeane Freeman, Humza Yousaf and Aileen Campbell be appointed as Scottish ministers and that Ash Denham, Ben Macpherson, Christina McKelvie, Clare Haughey, Graeme Dey, Ivan McKee, Kate Forbes and Mairi Gougeon be appointed as Scottish junior ministers.

I record my thanks to those who are leaving the Government. Keith Brown is leaving to become the full-time deputy leader of the SNP. He has many achievements that he can be very proud of, including having overseen the construction of the magnificent new Queensferry crossing and having secured Scotland's excellent record of attracting inward investment.

Angela Constance also served with distinction, not only in laying the groundwork for the dramatic fall in youth unemployment that we have seen in recent years but in being a strong voice at the Cabinet table for those who are not always heard in society. The fact that Scotland has received international recognition for the work that we have done to support refugees, on lesbian, gay, bisexual, transgender and intersex plus rights, on women's issues and in many other areas is in no small part down to Angela's leadership.

Shona Robison has been a compassionate and effective health secretary. Even with more patients being seen than ever before, Shona leaves a legacy of high levels of patient satisfaction and the lowest accident and emergency waiting times in the whole of the United Kingdom. Her final act as a minister was to offer a 9 per cent pay rise over three years to our NHS staff, which is a fitting tribute to the way in which Shona has always championed their interests. I know that the past couple of years have been particularly challenging for Shona personally. The dignified way in which she has remained dedicated to the NHS while under pressure is a lesson in how politicians should seek to conduct themselves. *[Applause.]* I am very proud to call her not just a colleague but a valued friend.

Finally, I thank the departing ministers, Alasdair Allan, Annabelle Ewing and Maureen Watt, each of whom has left their own legacies in Government.

The outpouring of thanks over the past 48 hours for those who are leaving Government, from stakeholder organisations, some Opposition MSPs, members of the media and the wider public, speaks for itself. I know that MSPs from across the chamber will wish all of them well in the future.

I turn to the new appointments, and, first, the new Cabinet appointments. Humza Yousaf has been an outstanding Minister for Transport and the Islands. He has championed all forms of transport in Scotland. At the weekend, I saw that he has even started to take flying lessons. The Islands (Scotland) Bill, which he stewarded through the Parliament, is a major step forward for our island communities. As the minister for the beast from the east and many other unexpected events, Humza has more than proven his ability to calmly manage complex situations, and I know that he will be an excellent justice secretary.

Humza will be Scotland's first Cabinet member from an ethnic minority background. That is a significant personal achievement for him but also a significant milestone for this Parliament. Humza will also become the youngest-ever cabinet secretary. The generational change in Scottish politics has certainly been brought home to me when I consider that, in Humza, I have just appointed someone to my Cabinet whom I first met when I spoke to his high school modern studies class some years ago.

I have asked Jeane Freeman to become the Cabinet Secretary for Health and Sport. Jeane has taken the enormous responsibility of overseeing the devolution of social security powers in her stride. Her forensic grasp of her brief has ensured that the process remains well on track. Importantly, Jeane has never treated the task

simply as some Government project to manage. At every step of the way, she has adopted a bottom-up approach, making sure that our fellow citizens at the heart of the social security system are listened to and treated with dignity and respect. For those and many other reasons, Jeane is an ideal choice for her new role.

With the groundwork now laid for Scotland's new social security system, the focus moves to its operation, and such a vital part of Government needs a permanent voice at the Cabinet table. I have therefore asked Shirley-Anne Somerville to become Scotland's first dedicated Cabinet Secretary for Social Security and Older People. Since her appointment, in 2016, Shirley-Anne has delivered substantial progress on widening access to university, improving student support for further and higher education and safeguarding Scotland's academic excellence and innovation.

Aileen Campbell will take on the new role of Cabinet Secretary for Communities and Local Government. Aileen has shown strong leadership in a number of areas, not least in championing a public health approach to problem drug use and in tackling overweight and obesity.

Over the past two years, Michael Russell has been relentless in standing up for Scotland's interests in the Brexit process, not least in his work in exposing the power grab that lies at the heart of the European Union (Withdrawal) Bill. Mike has—to the irritation, no doubt, of some Opposition MSPs—become omnipresent in Parliament, on television and at the numerous events that he is invited to both in Scotland and further afield, but that is testament to the way in which he has effectively kept the minutiae and the chaos of the Brexit process under real, effective public scrutiny. His return to the Cabinet is as necessary as it is deserved. With a new chapter opening up in the Brexit process, it is right that the enormous impact that it will have on our economy and our society is fully reflected at Cabinet level.

A number of other individuals remain in the Cabinet. Derek Mackay will assume responsibility for the economy and fair work, in addition to finance. Michael Matheson will take on the new brief of transport and infrastructure. I have asked Roseanna Cunningham, Fergus Ewing, Fiona Hyslop and John Swinney to continue in their respective roles. John Swinney will also continue to serve as the Deputy First Minister, and I take this opportunity to thank him for the personal support and advice that he continues to offer to me and to other ministers.

I now turn to the junior ministerial appointments. After 11 years in office, it is encouraging that this Government is still able to draw on a wealth of new talent from our back benches. Today's nominees represent constituencies the length and

breadth of our country, and they bring an enormous amount of political, personal and professional experience into Government.

Clare Haughey is a former mental health nurse who continues to hold an honorary nursing position, and she will take on the role of Minister for Mental Health. Kate Forbes has been an excellent MSP, and I think that she will make an excellent Minister for Public Finances and Digital Economy, working with the Cabinet Secretary for Finance, Economy and Fair Work to manage the Scottish budget and tax policy. As if promoting Humza Yousaf has not made me feel old enough, Kate Forbes's appointment also represents a first, as she is the first Scottish minister to have been born in the same decade as the Scottish Parliament itself.

Ivan McKee, who has extensive business experience, will take on the role of Minister for Trade, Investment and Innovation, building on Scotland's strong track record of attracting inward investment in recent years and working to boost exports. Christina McKelvie becomes the Minister for Older People and Equalities, building on her experience as the convener of the Scottish Parliament's Equalities and Human Rights Committee. Mairi Gougeon, who has represented Scotland on the Committee of the Regions and recently held the United Kingdom Government to account on the rights of EU migrants, including her own husband, will be the Minister for Rural Affairs and the Natural Environment.

Ash Denham, who has ably and effectively assisted in prosecuting the case against the European Union (Withdrawal) Bill, is to be the Minister for Community Safety. Ben Macpherson takes on the role of Minister for Europe, Migration and International Development. Having literally walked 500 miles from Scotland to London in his younger days to promote international peace, he will bring a real, personal commitment to Scotland's international development work. Graeme Dey, who is a highly effective committee convener and who has, in that role, put ministers under regular pressure, will now find out what it is like on the other side, as the new Minister for Parliamentary Business and Veterans. There is no revenge whatsoever in that appointment.

Finally, I am pleased that Joe FitzPatrick, Jamie Hepburn, Paul Wheelhouse, Maree Todd and Kevin Stewart have all agreed to remain part of the ministerial team.

I am pleased to say that, as well as having a gender-balanced Cabinet, we will have a junior ministerial team that is gender balanced for the first time. Every one of today's nominees is there on merit, and I know that they will be hugely effective members of the ministerial team. I also know that they are itching to get started and get on

with the job, so it gives me great pleasure to move the motions today.

I move,

That the Parliament agrees that Shirley-Anne Somerville, Michael Russell, Jeane Freeman, Humza Yousaf and Aileen Campbell be appointed as Scottish Ministers.

That the Parliament agrees that Ash Denham, Ben Macpherson, Christina McKelvie, Clare Haughey, Graeme Dey, Ivan McKee, Kate Forbes and Mairi Gougeon be appointed as junior Scottish Ministers.

12:48

Jackson Carlaw (Eastwood) (Con): This is not the speech that I had hoped to make at all, Presiding Officer. For seven years, I have scrupulously avoided on these occasions making remarks that are at all partisan in character. All of us are elected to this Parliament with the hope that one day we can serve in Government—it is certainly true that the Scottish Conservatives have hoped for longer than most—so for those who are leaving the Government or for those who are joining, this is a significant personal moment. I am genuinely sorry that to use all the material that many of their colleagues volunteered to me just does not seem appropriate now.

I pay tribute to Shona Robison. For as long as there has been a Scottish National Party Government, Shona Robison has been a member of it. When working with Shona Robison, I have always found her to be enormously committed to the national health service and tremendously well briefed on every aspect of it. To her credit, she has the legacy of the 2014 Commonwealth games, which she as a minister was instrumental in ensuring were as successful as they were. She was also a hard-working exponent of alcohol minimum unit pricing.

Shona Robison has not had her troubles to seek. I hope that all is well with her and, even if we think that fresh leadership on health might be the right course now, I thank her and give her our best wishes for the future on behalf of everyone in the Conservative Party.

I thank the other ministers who are leaving the Government. I thank Keith Brown for all his work and focus on veterans issues. The fact that he is a veteran was hugely appreciated by all the organisations that participate in the cross-party group on the armed forces and veterans community and by the wider veterans community. Although he will not be the veterans minister, I know that his interest will not diminish at all. I thank Angela Constance, Alasdair Allan, Maureen Watt and Annabelle Ewing, too.

I welcome quite a number of the appointments to the Government. I am struggling not to use some of the material that I had hoped to use, but it

would not work today. I welcome Kate Forbes and Ben Macpherson. Clare Haughey's appointment is one of the most inspired, because—I hope—her understanding of mental health issues will be of direct assistance and provide a focus and drive to her portfolio. The appointments of people including Graeme Dey and Mairi Gougeon all stand out.

I welcome Jeane Freeman to the health portfolio. She did a tremendous job of introducing what became the Social Security (Scotland) Act 2018. I flag up to her my concern about mesh implants. The Public Petitions Committee is set to produce a further report on the issue, and Professor Alison Britton is due to issue her report—probably at the beginning of the next parliamentary year. I hope that Jeane Freeman will engage with that issue, among all the other considerable health issues.

In welcoming Humza Yousaf's appointment, I will permit myself one line. The First Minister said that he is trying to be a pilot, and people always need a fallback in case they forget about their motor insurance policy. I will leave it there; I congratulate him.

I had lovely things to say about Aileen Campbell, but I cannot say them. I will save them in the hope that there is another opportunity.

Sadly and unfortunately, a reshuffle that was intended to bury bad news—it was intended to take attention away from the education U-turn and to distract us from unfortunate events in relation to Heathrow—has become bad news. A year ago, the First Minister said:

“any Government, after 10 years, needs to take stock and ... refresh.”—[*Official Report*, 27 June 2017; c 15.]

I thought that that meant that we would get a reshuffle then. The reshuffle has been a year in the making, so it should surely have been underpinned by a vetting procedure that is fit for purpose.

Richard Leonard referred to Gillian Martin's remarks. This morning, I came across the fact that she said:

“American Jews- tip ok but only if you've absolutely busted your hump and everything was faultless in the extreme. Often complain about the quality of the food, and then the small portions ...

American Blacks- don't tip at all or tip next to nothing- to be avoided. The waiters (also black, remember) would do anything to avoid serving a table of blacks or be openly disappointed if allocated one.”

That is shocking and I cannot make light of that. I note the First Minister's opening remarks and I understand the tradition in a debate such as this, but the proposed appointment prompts a judgment about the First Minister. She has done the job long enough; thin excuses do not cut it.

A reshuffle that has been a year in the making should not stand as the most notorious reshuffle in the Parliament's history. It is a shame—there are ministers who will be appointed this afternoon who deserve better, and there are ex-ministers saying their farewells who deserve more thanks. However, thanks to the First Minister, all of that will be drowned out. We support the appointments, but this is not how they should happen. That is deeply depressing for the Parliament.

12:55

Rhoda Grant (Highlands and Islands) (Lab):

This is a long-awaited cabinet reshuffle. It was clear to us many months ago that something had to change in the health portfolio. At First Minister's question time, Richard Leonard told the First Minister time and time again that the health service was being badly let down and that Shona Robison needed to go. It took the First Minister until this week to listen to us.

In fairness to Shona Robison, she inherited a health service that was failing—a health service in which training places had been slashed by her predecessor, who is now the First Minister. Shona Robison was left presiding over a health service with chronic staff shortages, with no long-term planning and where care of the elderly was failing.

This is the 70th birthday of the NHS and never in its 70 years has it been in such peril. Staff are stressed; many of them believe that they are not able to provide the level of care that they would wish. The very least that the First Minister can do for them is to make sure that there are adequate resources for our NHS, in both staff and finance.

The level of care of our elderly shames us all. They are the generation who, at a time of post-war austerity, funded a health service free at the point of need out of taxation when they were already suffering personally. Therefore, we must ensure that they receive the full benefits of the health service that they created into their old age. Reshuffling the Cabinet will not do that. What we need is investment in staff and services.

The First Minister has changed the finance and economy brief. She obviously believes that the Scottish economy is doing so well that a job that previously required two cabinet secretaries can now be put in the hands of only one. Maybe on reading the growth commission report she realised that, in comparison with the economy of an independent Scotland, we are doing very well. Scotland trails the rest of the UK with regard to the economy. At this time, she should be bolstering the brief rather than cutting it.

Neither can we build a vibrant economy without a highly trained workforce and that training starts in the early years, building confidence and a thirst

for learning. [*Interruption.*] Obviously, the SNP back benchers do not agree with that. However, we see no change in that brief. John Swinney, the cabinet secretary who this week shelved yet another ground-breaking bill, has been kept in place. He has presided over an education system in which attainment rates are falling and teacher dissatisfaction is growing.

To help him in his brief, he was given Gillian Martin, whose words and blogs have offended every minority group and indeed all of us. Common sense has prevailed and I welcome the fact that the First Minister has had a change of heart with regard to this appointment. However, as Richard Leonard pointed out earlier, this appointment calls into question the very judgment of the First Minister. Did she know about those comments before the appointment? If she believes that Gillian Martin is not fit to be a minister, is Gillian Martin really fit to be a member of the Scottish Parliament?

Reshuffling the Cabinet gives the impression of action. However, the action that we really need is investment in our services, our schools, our hospitals, and—most of all—our older generations. This reshuffle does nothing to address those issues. We in the Labour Party have made proposals to raise finance to invest in our country and such an investment is needed to make a real change to Scotland. Only a change of Government will deliver that.

12:58

Andy Wightman (Lothian) (Green): The Greens welcome the opportunity to congratulate newly appointed ministers on their new roles. As a member of generation 2016, I am particularly pleased to see so many of my colleagues who also joined the Parliament then being given positions of responsibility. I offer my congratulations to them all.

Recent photographs on the stairs of Bute house portraying a fresh-faced, energetic group of still very young people raring to go are quite encouraging. We look forward to seeing that same group in three years in a before-and-after photo that reveals how they have coped with the very real demands that come with ministerial office, because they face significant challenges and will no doubt be tested in their new roles.

The Greens will continue to stay true to our values of equality, peace, environmental sustainability and radical democracy and we will continue to challenge all those in power in a constructive but determined manner. All of us in the Parliament have an obligation to scrutinise the Government rigorously and effectively, because we owe it to the people whom we represent to

ensure that we have effective governance of the country.

We are pleased to see continuing commitment from the First Minister to gender balance in Scotland's Government. That is a reminder that there remains much work to do on equalities for many groups in society.

To the cabinet secretaries who are departing—Keith Brown, Angela Constance and Shona Robison—we say thank you. Shona Robison in particular had an important portfolio. In many regards, hers was a thankless task, so we say a particular thank you to her for her commitment, her hard work and the constructive way in which she engaged with us, at least over the past two years. Government is not easy. We owe it to the people who serve to acknowledge that while holding power to account at the same time.

We particularly welcome Jeane Freeman to the health brief. She is an excellent example of a minister who engaged extremely effectively with Parliament, other parties and external interests over legislation—the Social Security (Scotland) Act 2018. Would that all legislation was handled that effectively. We wish her all the best in a testing portfolio.

It is also good to see Michael Russell back in the Cabinet. He adds a bit of panache, pizzazz and show business now and again. [*Laughter.*] It is perhaps no secret that the Greens would have hoped for at least one other change in the membership of Cabinet.

There are real continuing challenges ahead: austerity, the demands on health and social care, the revitalisation of local democracy, and climate change, for instance. They are all being addressed under the long shadow of Brexit, which means that the next three years will be among the most difficult for all of us who are engaged in politics, not just those of us who are in Government.

We welcome the First Minister's remarks on the high standards that are expected of those who serve the people of Scotland. It is a reminder that we should all reflect at all times on the fact that what we say and how we carry ourselves very much matters.

I congratulate the cabinet secretaries and junior ministers and give them our best wishes. The Greens look forward to working with them all in the remainder of the session.

13:02

Alex Cole-Hamilton (Edinburgh Western) (LD): I will depart briefly from my prepared remarks to address this morning's events. Governments must reflect the better natures of the societies that they seek to represent. That said,

the First Minister has the full support of the Liberal Democrat members in the painful decision that she took this morning.

It is my great pleasure to respond to the ministerial appointments on my party's behalf and, I hope, inject some levity back into the proceedings.

Many dreams will have come true today and I congratulate the members in question on that. It has been a week of high drama. The First Minister gave out no fewer than six Cabinet-level portfolios. That took me back to my first day on the job in the Parliament, when I, too, was given six Cabinet-level portfolios. I have been doing things that really should have got me sacked by now.

Mike Rumbles (North East Scotland) (LD): Hear, hear.

Alex Cole-Hamilton: However, my boss, Willie Rennie, keeps insisting that I am the only person for the jobs.

I have only four minutes, so I cannot read the whole list of names that featured in the reshuffle. There are many. That is surprising, given the fact that, when the SNP came to power in 2007, it was on the promise of slimmed-down, focused, streamlined government. Now, there are 25 of them, so the former First Minister will be spinning in his Kremlin-backed studio.

I say a big welcome to Jeane Freeman, who shares my health portfolio. It is a great portfolio to represent. It is somewhat surprising: *The Herald* picked me as the one to watch, so I do not quite know how she beat me to Cabinet.

I welcome my fellow members of the 2016 intake. It is great to see the talent that they will bring to the Government benches.

Aileen Campbell, Shirley-Anne Somerville and Humza Yousaf are being promoted. I will miss the Queensferry crossing exchanges that we had.

On a sombre note, we should not forget those who are leaving Government. I recognise that ministerial service comes at a tremendous personal cost, not just to oneself, but to one's family. Alasdair Allan, Annabelle Ewing, Maureen Watt and Keith Brown have done a service to their party, which has culminated in ministerial service to this country. I want to thank them and their families for that.

I want to focus on two departing cabinet secretaries, the first of whom is Angela Constance, or "ACon", as she is affectionately known by her civil servants, who will keenly feel her absence. Hers will be a very difficult, and very flamboyant, pair of shoes to fill. The second is Shona Robison. My calls for her resignation are a matter of public record, but I take no joy in her

departure. She has always treated me with kindness and great generosity of time, and she has an obvious compassion about her, which is very uncommon in Scottish politics.

I am delighted to see Clare Haughey in the mental health position. It is fair to say that, in the two years since the ministry was first created, not as much progress on mental health has been made as we all hoped to see. I know that her expertise will bring so much value to that position. Her task will be harder, because there are more ministers around her, which means that she will have to fight harder for ministerial time and recognition of that most important issue. As Liberal Democrats, we appeal to all cabinet secretaries and ministers not to allow mental health to be siloed but, instead, to treat it as a golden thread that runs through every department of Government.

Today, the Scottish Government is bigger than it was yesterday, as I said at the top of my remarks. All told, the ministerial salary pot will cost the taxpayer £275,000 a year more than it did last week, which is significant. Let me put that in context: that is exactly the amount of money that HIV Scotland stands to lose at the end of July. I ask the health secretary and her team of junior ministers to reflect on that, because the number of HIV infections in Scotland is still growing.

I want to finish on a positive note. The new ministers have the best wishes of the Liberal Democrats. We wish them good fortune, because the decisions that they make will impact on the lives and interests of all our constituents, so they must make good choices. We will offer consensus where we can and resistance where we cannot. Good luck and congratulations.

13:07

The First Minister: First, I thank the members who have spoken in this short debate for their good wishes to departing ministers—in particular, those that have been expressed for Shona Robison—and their congratulations and good wishes for new ministers. Those sentiments are very much appreciated.

On the issue of Gillian Martin, I take the comments that have been made today on the chin. As First Minister, that is part of my responsibility, and I do not hesitate to do so. I will obviously reflect carefully.

In the time available, I want to make three quick points. First, I was genuinely not aware of the comments that Jackson Carlaw read out. As I understand it, they came from blog posts from more than 10 years ago.

Secondly, Gillian Martin has been a member of this Parliament for two years, and members across the chamber have got to know her well. I simply ask members to ask themselves whether, in their heart of hearts, they believe that the comments that have been read out—however ill-advised they were; I do not take issue with that—reflect the views of the person they have come to know.

Thirdly, when I was made aware of the comments this morning, I immediately took action to lodge a new motion without Gillian Martin's name on it. I think that all parties should resolve to act quickly when such issues arise. I do not want to get party political, but there are elected representatives of other parties up and down the country who have made vile, homophobic and racist comments without action being taken, so let this be a moment of reflection for all of us. Before we stand in glass houses throwing stones, we should make sure that our houses are all in order.

Alex Cole-Hamilton mentioned the size of the Government. It was a reasonable comment to make, but I am sure that he and members across the chamber will recognise the fact that the increasing size of the Government reflects the increasing responsibilities of the Scottish Parliament, which all of us have welcomed, as well as the challenges that are posed by Brexit, which are less welcome for most of us.

Alex Cole-Hamilton said that he was confused as to how Jeane Freeman had made it to the Government before him. I gently say to him that it might be something to do with his choice of party. However, if I had known that he was in the transfer market, I might have considered things a bit differently.

Members: Oh!

The First Minister: Those whom I am nominating today are capable, committed and passionate individuals who I believe will do Scotland proud. I congratulate each and every one of them and I commend their nominations to Parliament. [*Applause.*]

The Presiding Officer: That concludes our debate on the appointment of Scottish ministers and junior Scottish ministers. We move to the questions on the motions.

The first question is, that motion S5M-13018, in the name of the First Minister, on the appointment of Scottish ministers, be agreed to.

Motion agreed to,

That the Parliament agrees that Shirley-Anne Somerville, Michael Russell, Jeane Freeman, Humza Yousaf and Aileen Campbell be appointed as Scottish Ministers.

The Presiding Officer: The First Minister may now invite Her Majesty to approve the appointment of Shirley-Anne Somerville, Michael Russell, Jeane Freeman, Humza Yousaf and Aileen Campbell as Scottish ministers. I offer my congratulations on their appointment. [*Applause.*]

The second question is, that motion S5M-13017, in the name of the First Minister, on the appointment of junior Scottish ministers, be agreed to.

Motion agreed to,

That the Parliament agrees that Ash Denham, Ben Macpherson, Christina McKelvie, Clare Haughey, Graeme Dey, Ivan McKee, Kate Forbes and Mairi Gougeon be appointed as junior Scottish Ministers.

The Presiding Officer: The First Minister may now invite Her Majesty to approve the appointment of Ash Denham, Ben Macpherson, Christina McKelvie, Clare Haughey, Graeme Dey, Ivan McKee, Kate Forbes and Mairi Gougeon as junior Scottish ministers. I offer my congratulations on their appointment. [*Applause.*]

That concludes business for today. I wish members well and look forward to seeing you all refreshed and reinvigorated after the summer recess.

Meeting closed at 13:11.

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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