



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Tuesday 10 December 2019

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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Scottish Parliament

Tuesday 10 December 2019

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

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. The first item of business this afternoon is time for reflection. Our time for reflection leader is the Rev Kenny Gillies, pastor, Oasis Christian centre, Livingston Elim Pentecostal Church.

The Rev Kenny Gillies (Pastor, Oasis Christian Centre, Livingston Elim Pentecostal Church): Presiding Officer, members of the Scottish Parliament, thank you for this opportunity to address you this afternoon.

What's in a name? Names are very important. They are the link that identifies a person or an organisation. More than that, they can become labels that define someone or a group of people.

My own name, Kenny Gillies, translated into Gaelic—my mother's native tongue—is Coinneach MacGil'losa. Kenneth, or Coinneach, which is a name that I share with certain esteemed members of this Parliament, carries the meaning "handsome"—something that members might or might not find quite apt. My surname, Gillies, or MacGil'losa, however, has a more spiritual meaning: it means "servant of Jesus", which is quite appropriate for a church pastor.

I am an Elim Pentecostal Church minister. Elim was founded in 1915 and is today a movement of more than 550 churches in the United Kingdom and Ireland, which has links to thousands of churches worldwide, plus missions in more than 40 countries.

The name Elim comes from the biblical reference in the book of Exodus to an oasis of 12 springs and 70 palm trees, where the people of God camped. An oasis is a fitting symbol for a church in which the love, grace and mercy of Jesus are ministered and where the spiritual provision found in the word of God is preached. A church should be a place where rest and refreshing, love and hope, and cleansing and healing are experienced. As the name indicates, Pentecostal churches emphasise the work of the Holy Spirit—the power and presence of God in the life of believers.

According to the Bible, there is one name that is above every other name, a name at which we are told every knee will bow, and that name is Jesus. At Christmas, the global Christian church marks his birth, which was celebrated more than 2,000

years ago with great joy and fanfare. Why? Because the name given, Jesus, means "he will save his people from their sins". That is why Jesus is worshipped as the saviour of the world.

The Bible lists almost 200 names and titles for Jesus: he is Emmanuel, God with us, the Christ, the anointed one; he is the lord of lords, the king of kings, the light of the world—and many more.

My prayer is that his light, truth and wisdom shine upon us this day, through Christmas, and into 2020.

Amen.

Topical Question Time

14:03

Royal Hospital for Sick Children (Maintenance Work)

1. Daniel Johnson (Edinburgh Southern) (Lab): To ask the Scottish Government what action it is taking to ensure that the Royal hospital for sick children is fit for purpose, in light of reports that the existing building needs over £700,000 of significant maintenance work. (S5T-01916)

The Cabinet Secretary for Health and Sport (Jeane Freeman): The £700,000 figure relates to backlog maintenance, which includes works to improve the environment for patients and parents, fire safety, heating, ventilation, roofing and redecoration at Sciennes. Parent overnight accommodation and the hospital's catering facilities for families and staff have been improved.

The Scottish Government oversight board continues to assess what further improvements are required to ensure that the existing sites can continue to provide high-quality, safe clinical services. On 17 October, the oversight board agreed to the replacement of interventional neuroradiology equipment at the department of clinical neurosciences. At the sick kids, the board has begun work to increase the emergency department capacity, to maintain flow in advance of the winter months; the enhanced area will be clinically operational from tomorrow.

Daniel Johnson: Anyone who has spent any time at the old sick kids building does not need an answer to a freedom of information request to tell them that maintenance on the building is overdue. While my daughter was there, the members of one medical team were one and a half hours late for their daily ward round because the ceiling had fallen in on their meeting room. The sad truth is that the old site had been allowed to deteriorate on the promise of a new building—a promise that it is clear has still to be met.

The £700,000 figure covers just the significant maintenance defects; it appears that a total of £1.5 million of work is needed. There is particular concern about the reports of issues having been identified with ventilation and water systems, given the very serious issues that have been uncovered elsewhere in this country.

Can the cabinet secretary provide insight into the nature and seriousness of those defects? Are there any concerns for the safety of current patients? When were the issues identified? When will the work to address those defects and the full £1.5 million-worth of remedial works be complete?

Jeane Freeman: As I am sure that Mr Johnson will recall, when I made a statement on the situation at Lothian sick kids hospital, I addressed the work that was needed at the new site and at the existing sites until the new site is safe for use, and I advised the chamber of an estimated £16.1 million bill. I think that I also provided a breakdown of that figure, £7.2 million of which has been set aside to meet the costs of maintaining and improving the existing site.

Further work has been under way to increase the footprint of the emergency department and the waiting area for it, to move out-patients and to undertake work including on the ceiling that Mr Johnson mentioned. That work, which the staff identified when I visited them in September and asked what was needed, has been undertaken by the board.

As far as ventilation is concerned, NHS Lothian has confirmed that the ventilation systems at the DCN site and the sick kids at Sciennes have been reviewed in line with recent changes to national guidelines, that they continue to be safe and that some upgrading work might be needed because it will be necessary to use those systems for longer than was originally planned; much of the additional work that is needed has arisen because of that.

NHS Lothian remains at level 4. With our oversight board, we continue not only to look at the existing sites and what needs to be done there and to make sure that that work is done, but to progress the work on the new site to ensure that it meets the timeline that I set out previously.

Daniel Johnson: I would like the cabinet secretary to clarify what she has just said. Is the £1.5 million figure the total bill for the required works, or will any additional categories need to be included? Is the £1.5 million sum, which has been reported in the press, included in the £16 million sum that she mentioned? If not, when will we know the final cost of putting right two hospitals that are, by the Scottish Government's own definition, substandard?

Jeane Freeman: We have agreed that the two hospitals need to be replaced, but the replacement hospital needs to be safe before patients and staff can go there. It is unfair to the patients and the staff who currently use those sites to use the phrase that Mr Johnson used. The staff are working very hard to ensure that those sites continue to deliver the very high quality of service that they deliver.

As I have said, the total amount that we estimated would be required to make the new hospital fit for purpose, to maintain the existing sites and to meet other costs was £16.1 million. The £1.5 million will be part of that. Of course, that comes from the NHS Scotland budget, not from

NHS Lothian, so it should have no impact on NHS Lothian's overall financial viability.

I will be happy to report back to Mr Johnson on the final cost of other works that might be required once all that work has been completed. That includes moving new equipment at the new site into the existing sites, which is sensible, so that it can continue to be used. There is also the additional equipment for the DCN to ensure that it can continue to operate as fully as it needs to.

Miles Briggs (Lothian) (Con): The cabinet secretary has specifically mentioned the ventilation system. The response that I have received from NHS Lothian on the matter states:

"The ventilation systems have also been reviewed in line with recent changes to national guidelines. Although this guidance does not apply to existing facilities, our review outlined maintenance and upgrades that would be required if it was to apply."

Given the national concerns around ventilation systems, what has the cabinet secretary specifically asked NHS Lothian about that, given that the existing hospital might still be used not just for a year but beyond that?

Jeane Freeman: The NHS Lothian response is accurate in that the new national guidelines do not apply to existing sites. I have asked the oversight board to continue to have detailed discussions with NHS Lothian about what additional upgrades may be required and what impact they may have, and to carry out the risk assessment of those upgrades against the impact on existing patient and healthcare delivery, so that we can take a decision about what level of upgrade to the existing ventilation system is required, if any, to take it through to the autumn of next year.

Monica Lennon (Central Scotland) (Lab): In addition to the maintenance backlog at the existing hospital, is it acceptable to the cabinet secretary that NHS Lothian is still paying about £1.4 million a month to a private consortium for a replacement hospital that is unsafe and has not seen a single patient? What action has the Government taken to investigate the possibility of the payments being stopped and of the money that has been paid out already being recouped to the health service?

Jeane Freeman: As we have explained before, the money that is being paid per month is part of the contract, and that contract is the responsibility of NHS Lothian. It became the board's responsibility when it took completion of the new hospital. If the board stopped paying that money, it would be breaking the contract.

The public inquiry will investigate those matters and, in relation to the suppliers of the hospital, to call them that—Integrated Health Solutions Lothian, Brookfield Multiplex and others—we will see where responsibility and liability lie. At this

point, I share Ms Lennon's frustration about money being spent on something that cannot be used while additional money has to be spent to ensure that the existing sites continue to deliver high-quality healthcare. I absolutely share that frustration. However, I would not urge any NHS board to break a contractual requirement that it has entered into. I do not intend to tell the board to stop paying the money and, if it ever thought that it should stop paying it, I would strongly urge it not to do that, because it has entered into a legal contract.

As for the wisdom of taking completion of the site when, self-evidently, as we have discovered, it was not suitable for patients and staff to move into it, all those other matters will be picked up and examined forensically in the public inquiry. My focus is on ensuring that the existing sites remain fit for the patients and staff who need them as we continue on track to deliver entry into the new hospital in a manner that is safe for patients and staff.

Scottish Qualifications Authority (Spending Practices)

2. Patrick Harvie (Glasgow) (Green): To ask the Scottish Government what its response is to recent reports on spending practices at the Scottish Qualifications Authority. (S5T-01917)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): The Scottish Government expects all public sector bodies, including the Scottish Qualifications Authority, to ensure that their travel and subsistence policies deliver the best possible value for money for the Scottish taxpayer. The SQA has made it clear that all international travel and accommodation bookings by its staff are pre-approved, accounted for against set budgets and subject to external independent audit. In addition, the SQA has recently completed a review of its travel and subsistence policies and, as a result, has aligned them more closely with those of other public sector bodies.

Patrick Harvie: Value for money is, indeed, something that we should all be able to expect, but it is hard to continue with that expectation in the light of recent revelations. Anyone who thought that the SQA's business was looking after Scottish education would have been astonished to learn about £17,000 being spent on business-class travel to Saudi Arabia, with officials staying in the most top-end hotels that they could find. It has been said that security is one justification—or excuse—for using top-end hotels, but I hardly think that Athens is a war zone where the only way to stay safe is to stay in the lap of five-star luxury.

Does the cabinet secretary recognise that a culture change is needed in the SQA, and in other

bodies that treat themselves to such luxury at public expense?

John Swinney: Mr Harvie's question includes two substantive points. The first is about whether there is any justification for international activity by the Scottish Qualifications Authority. That is a longstanding part of the work of the SQA and has occurred for many years. There is, of course, a debate to be had about whether it is appropriate, but it has become the established practice of the SQA.

The SQA's international operations also bring economic benefit, because they use the skills, reliability and authority of the Scottish Qualifications Authority in certification of learning in other jurisdictions. As I said, there is a debate to be had about whether that is appropriate, but it has over many years been judged to be an appropriate way for the SQA to proceed.

The second substantive point is about the value for money of public expenditure that is associated with that activity. As I have indicated to Mr Harvie, the SQA has recently completed a review of its travel and subsistence policies and has, as a consequence, aligned them much more closely with those of other public sector bodies. That is what I would have expected, so I am glad that it is the case.

Patrick Harvie: I certainly hope that in the future we see greater alignment with value for money. However, leaving aside the question of luxury and moving on to the wider issue of international relationships, clearly pursuit of such relationships around the world needs to have an ethical dimension. I question the idea that luxury holidays to the Ritz-Carlton in Saudi Arabia are about developing a relationship with that brutal regime. We should not treat that brutal dictatorship as simply another potential business partner and source of funds.

It has been reported that all Government departments in the Saudi dictatorship have benefited from that relationship. Can the Scottish Government say whether it is true that Saudi Ministry of Defense personnel have been involved in securing the services of the SQA? If that is true, is it even remotely morally justifiable?

John Swinney: I cannot confirm that for Mr Harvie, but I will explore the issue and write to him. The substantive question that Mr Harvie raises is whether it is appropriate for the SQA to be involved in international activity. I fully acknowledge that that is a point for debate.

The SQA is obliged, as a public body—although it operates independent of ministers—to contribute to the advancement of equality. It also has to be mindful, in all its actions, of whether that duty is being fulfilled by the activities that it undertakes. I

will raise with the SQA the issues that Mr Harvie has raised with me. When I see the chief executive of the SQA tomorrow for one of our routine conversations, I will ensure that those issues are fully and openly discussed, so that the SQA board can reflect on them.

Liz Smith (Mid Scotland and Fife) (Con): The cabinet secretary is aware that on several occasions, the Education and Skills Committee has discussed what expenditure is in the public interest when it comes to the SQA. As he rightly said, that is a legitimate debate to have.

However, does he agree that there has been an issue about transparency, and that in relation to the recent allegations—they are only allegations—which have required members of Parliament to probe further, the questions could easily have been answered by SQA officials?

John Swinney: There should be transparency on the issues, and a legislative framework is in place to enable that. As I have indicated to Parliament today, the SQA has recently completed a review of its travel and subsistence policies. It will, I am sure, reflect on the question of transparency around those policies.

Small Businesses (Support)

3. Richard Lyle (Uddingston and Bellshill) (SNP): To ask the Scottish Government what it is doing to support small businesses. (S5T-01920)

The Minister for Public Finance and Digital Economy (Kate Forbes): The Scottish Government is committed to supporting small business and to creating the conditions in which businesses are empowered to grow and succeed.

One of the primary ways that we support small businesses is through the most generous package of rates relief in the United Kingdom, which includes the small business bonus scheme. As of 31 May 2019, more than 120,000 properties had received support through the small business bonus scheme, with 111,000 of them receiving 100 per cent relief. The amount of small business bonus relief that was awarded in 2019 was £266 million—up from £248 million at the same time in 2018.

Richard Lyle: Many small businesses require the help of the Scottish Government's small business bonus scheme to continue to trade. At this point, I declare, as an MSP, that my constituency office receives relief through the small business bonus scheme. I wonder how many Opposition MSPs have declared that interest at committee.

It is, I am led to believe, proposed by Opposition members that we remove that much-welcomed scheme. Am I wrong? Will the minister also advise

Parliament what could happen if the scheme were to be removed by hypocritical Opposition members?

Kate Forbes: Richard Lyle is right. As matters stand, Opposition MSPs—the Tories, who profess to support business; Labour, who claim to support progressive tax policies; and the Greens—voted for an amendment to the Non-Domestic Rates (Scotland) Bill that would, in effect, abolish the small business bonus scheme, as well as many other important reliefs that support economic growth and increase fairness. Incidentally, those were two key themes of the Barclay review.

The small business bonus scheme is a vital part of our package of measures to assist smaller businesses. Over the past few weeks, the business community has spoken very clearly and very loudly about its views on abolition of that relief.

Richard Lyle: There we have it. The Opposition parties would remove the scheme at their peril. The SNP Government has helped small businesses to survive and wishes to see continuation of the scheme. What steps has the Government taken to ensure that it will continue?

Kate Forbes: We will continue to work with stakeholders to ensure that the Non-Domestic Rates (Scotland) Bill supports growth, improves administration of the system and increases fairness. It is concerning that many of our key stakeholders, including the Federation of Small Businesses, the Scottish Retail Consortium and UK Hospitality, no longer believe that the bill as it stands—that is, as it has been amended by the Tories, Labour and the Greens—supports growth and increases fairness.

I welcome the fact that the Local Government and Communities Committee will take further evidence on that change to the bill. I have offered to provide further evidence to the committee in the new year, so I look forward to its response.

Jamie Greene (West Scotland) (Con): While we are on the topic of hypocrisy, the Non-Domestic Rates (Scotland) Bill will penalise small businesses through a £7 million per year tax hike on the independent schools sector. The policy has attracted widespread criticism not just from the Opposition, but from the education sector and parents. The bill is clearly flawed, in that respect. Will the Scottish Government listen to those concerns and commit to sitting down with Opposition parties to find compromise and a sensible way forward on that important issue?

Kate Forbes: I am surprised that Jamie Greene asked a question about independent schools as a supplementary to a question about businesses, given that independent schools have been at pains to say that they are not businesses, but

charities. Nonetheless, I have committed to discussing the issue further.

Jamie Greene repeatedly stands up and talks about things such as the roll-out of broadband and mobile connectivity; however, the Conservatives just voted to abolish rates relief in the form of fibre broadband mobile mast relief to ensure that new-build properties are not liable for rates in the first 12 months. As such, the hypocrisy comes at the moment from the Tories, who no longer have a leg to stand on when it comes to supporting business.

Queen Elizabeth University Hospital Oversight Board

The Presiding Officer (Ken Macintosh): The next item of business is a statement by the Cabinet Secretary for Health and Sport, Jeane Freeman, on an update on the Queen Elizabeth university hospital oversight board. The cabinet secretary will take questions at the end.

14:24

The Cabinet Secretary for Health and Sport (Jeane Freeman): Families deserve to have confidence that the places where they take their children to be cared for are as safe as they possibly can be. That means that their engagement with their health board must be open, honest and rooted in evidence.

That is even more important in the tragic circumstances where a child's life is lost. It is, in my view, simply cruel for the grief of a parent to be compounded by a lack of clear answers. So I again offer my sincere apologies, to the parents affected for their loss, and to all the parents affected by the circumstances that we are discussing for the additional burden of worry, uncertainty and anxiety that they have faced.

I will set out the action and the steps that we are taking to give parents, families and patients the answers that they legitimately seek and to step by step ensure that we are working on evidenced data to put in place all the required infection prevention and control measures, and, by doing so, secure the confidence of clinical teams, patients and families. All that immediate work is set against the backdrop of both the independent review that I commissioned in January and the wider statutory public inquiry that I announced in September.

On 22 November we escalated NHS Greater Glasgow and Clyde to stage 4, for infection prevention and control, and for engagement and information with patients and families. Stage 4 brings direct oversight and engagement from the Scottish Government to the operation of the Queen Elizabeth university hospital campus and the Royal hospital for children.

We have set up an oversight board that is reporting to the chief executive officer of NHS Scotland and to me, and that is chaired by Professor Fiona McQueen, our chief nursing officer. The oversight board will ensure improvements to the systems, processes and governance in relation to infection prevention, management and control; improvements to the associated communication and public engagement issues; improvement to appropriate governance

processes at the board; and the rebuilding of public confidence. It will also strengthen the approaches that are in place to mitigate avoidable harms.

We have three groups working to the oversight board. One is on infection prevention and control and is led by Irene Barkby, the executive lead for healthcare-associated infections at NHS Lanarkshire. The second is on communication and engagement, and is led by Professor Craig White who has been working directly with families since October, following my meetings with some of the families. Family representatives are also part of that group. The third group will consider any technical issues.

Professor White has now written to 400 parents of children seen by the paediatric haemato-oncology service to hear directly from them about their experience of communication and engagement with the board. My statement today, and any future statements that I might make, together with updates on the progress of the oversight board, will be made available to them.

An essential and early part of the oversight board's work is to understand the levels of infection and to review all the available information from all sources on case numbers. That work is complex: it needs to be reviewed and, of course, validated.

On 26 November, Health Protection Scotland published its review of data sets for 2013 to 2019. The report confirmed a higher number of certain infections in 2017, 2018 and 2019, but concluded that the current levels of infection are returning to normal. For the most recent months of October and November 2019, the level of Gram-negative bloodstream infections has been below the current average.

We also instructed NHS Greater Glasgow and Clyde to provide the total number of patients with positive Gram-negative blood samples within the paediatric haemato-oncology unit since the Royal hospital for children opened in 2015. The focus has been on infections associated with water and the environment, particularly those associated with environmental organisms, in wards 2A and 2B in the RHC and ward 6A in the Queen Elizabeth. That data will be subject to an expert-led, case-by-case review to consider the decisions taken on healthcare-acquired or community-acquired infection designation, on reporting, on action taken and on information shared and with whom.

Anas Sarwar previously brought to the chamber's attention a number of reports commissioned locally by Glasgow's health board. I want to thank Mr Sarwar for bringing those reports to my attention. Two of the reports were by a private company called DMA, in 2015 and 2017. I

can confirm that the reports were commissioned by the board, but were not provided to the Scottish Government at the time of their commissioning or of their completion.

The Health Protection Scotland review that we commissioned into the water contamination incident in 2018 reflected the understanding of the issues and the board produced

“a detailed action plan addressing ALL points identified”.

The board’s action plan was published in February 2019, and the actions that have been taken include installation of a chemical dosing plant to treat the water systems and to reduce the risk of possible contamination.

I expect the oversight board to fully consider all locally commissioned reports as part of its work. We need to understand what has been reported and what action has been taken. Some of that work might take some time to be completed, but I am adamant that we need to move forward with that action and other steps now.

Recently, I met a number of NHS Greater Glasgow and Clyde microbiology clinicians who have raised concerns. Our national health service should be celebrated, and its staff work hard to care for the people of Scotland each and every day. Their service is remarkable. I found the insights from the clinicians very helpful in shaping the actions that we are now taking. I thank them not only for making their concerns known and for persisting in following their professional responsibilities, but for accepting my invitation to work with us in considering the evidence that we have, the decisions that have been taken and the steps that are needed to resolve the outstanding issues.

In addition, we will write to each of the individual families, setting out the arrangements that will be put in place to review individual cases, and how families who wish to be involved in such reviews can be.

Concerns have been raised about the use of antibiotic prophylaxis and antifungal drugs with that patient cohort. The oversight board tasked one of its members—Dr Andrew Murray, who is the co-chair of the managed clinical network for children’s cancer services in Scotland—to meet with a multidisciplinary team of senior clinicians, on 6 December, for a clinician-led review of the use of those medicines. The front-line team has confirmed to Dr Murray that the use of antibiotic prophylaxis is being tailored to the needs of each individual patient and that families will be fully informed on its use and why it is being used.

Ordinarily, the clinical lead for healthcare-acquired infection is a board’s medical director, who is supported by others, such as those in the

estates department. However, as a result of considering all the issues that I have outlined today, I think that we can begin to restore trust only by taking significant additional steps. That is why I have asked Professor Marion Bain, who is the former medical director of NHS National Services Scotland, to take over that responsibility within NHS Greater Glasgow and Clyde. A senior clinician in infection control and prevention will be reviewing the infection data and helping to validate it. They will be external to NHS Scotland and will provide an independent expert assessment of the actions that we are taking, to ensure that they are effective and appropriate.

This morning, I met the full board of NHS Greater Glasgow and Clyde. The board is in no doubt about how seriously the Government takes the safety of care and the importance of transparency and rigour in these matters. It also knows the actions that I require from the board in order to restore and rebuild confidence. Andrew Moore, who is the head of excellence in care from Healthcare Improvement Scotland, and Angela O’Neill, who is the deputy nurse director in NHS Greater Glasgow and Clyde, have been appointed to ensure that the actions that the oversight board identify are fully implemented.

I will keep Parliament informed of the progress of the oversight board and its findings. I know that Parliament’s overriding concern—it is mine, too—is that, when our NHS falls short of the expectations that we have for it, we move robustly to address those issues. Most important of all, patients and their families must have confidence not only in the high quality of care that they receive from our national health service, but in the safety of the environment in which they receive it.

Miles Briggs (Lothian) (Con): I thank the cabinet secretary for the advance copy of her statement.

The cabinet secretary says that families deserve to have confidence in their services and that they deserve answers. I agree. The problem is, though, that families have lost confidence in NHS Greater Glasgow and Clyde and in the Scottish National Party Government. Sadly, nothing in today’s statement suggests that the Government is in control of the crisis at the hospital.

I want to ask the cabinet secretary two specific questions. First, can she confirm that all required blood tests for patients at the hospital have been undertaken since it opened? Secondly, given that she has now had almost a month to find out what is going on, will she outline how many children ministers believe to have been infected?

Jeanne Freeman: On the first part of Mr Briggs’s question, I assume that he is referring to blood tests of children in the paediatric haemato-

oncology unit, rather than the entire hospital. Those blood tests are taken as part of those children's treatment and are part of their regular monitoring. The clinicians initiate those tests and engage in them. I do not think that in anything we have discussed today, with respect to the Royal hospital for children, or indeed ward 6A in the Queen Elizabeth university hospital, there has been significant—if any—questioning of clinical care. Those blood tests continue in order to monitor the effectiveness of clinical treatment and ensure that, where an infection is suspected, it can be identified whether there is one and, if there is, what it might be.

In terms of the numbers, I was trying to explain in my statement that we now have a significant body of reports: those that have been locally commissioned, some of which we were unaware of; reports of our own that we have commissioned from HPS; and information that has come from microbiology clinicians, who have been referred to as whistleblowers.

What we have to focus on, and what the oversight board is engaged in, is bringing all of that data together and looking, case by case, at every single infection that has been identified. We then need to take an expert-led view as to whether the designation that was given to an infection—whether it was hospital or community-acquired—is a designation that our experts agree with. We need to identify the number of organisms involved and the number of patients then affected, and whether a patient's infection was a contributory factor in any subsequent death.

As I have clearly said, all of that work—which I have described in detail—takes time. That is why I have committed to coming back to the chamber with an update in January, to keep both the chamber and families up to date. I want to be sure that when I stand here and when I give that information to families as well as to members, I am confident that I know exactly how many organisms we are talking about, which were environmental and which were waterborne, how many patients were affected, and in how many subsequent deaths a patient's infection was a factor. At the same time, we will look to see what NHS Greater Glasgow and Clyde has been doing and whether we need it to do more to mitigate infection and ensure its prevention.

Monica Lennon (Central Scotland) (Lab): I thank the cabinet secretary for the advance sight of her statement.

We know that children have died in this flagship hospital when warning signs were not acted on. Infection outbreaks remain unexplained and parents continue to worry that their children are at risk. Many of them say that they lost trust in the health board long ago, that they still do not feel

fully informed and that they are not reassured by the on-going high levels of prophylaxis use.

Can the cabinet secretary confirm whether the most recent reported child death is linked to a hospital-acquired infection, and whether it has been reported to the Crown Office? Has Milly Main's death been reported to the Crown Office? On the wider issue of trust, staff whistleblowers and families have acted with courage in the public interest, whereas it seems that the board has acted to protect itself. Why will the cabinet secretary not exercise her powers and escalate the board to level 5?

The cabinet secretary is adding people to the board, but why will she not move anyone aside? If that was the right action in NHS Tayside over finance issues, why is it not the right one in Glasgow, when the safety of children and other patients is at stake?

Jeane Freeman: Ms Lennon asked a number of questions. I will attempt to go through them all.

I will start at the end. I am not adding people to the health board; I am bringing in external expertise to the work of Government, in order to undertake the work that I outlined in my statement and in my response to Mr Briggs, because the board is now at level 4. I am not looking for assurance from NHS Greater Glasgow and Clyde. I am looking for all the evidence from all the reports and ensuring that not only do we bring in those external experts, who are reporting to me, but that they go through that evidence forensically and reach their own conclusions.

Where those conclusions differ from the conclusions that NHS Greater Glasgow and Clyde reach, we will pursue that. However, I am also bringing in external expertise from outside Scotland to validate the actions that we are taking in terms of level 4 and the oversight board.

With respect to Milly Main, my understanding is that that case was not reported to the Crown Office and Procurator Fiscal Service. I understand the concern that has been raised around that, particularly by the family but also from Ms Lennon. I have asked the board to have an early discussion with Milly Main's parents in order to conclude whether they are content that that case be reported to the Crown Office. Among others, the case of Milly Main is particularly distressing in that her mother discovered only when reading the death certificate that infection played a part in her child's death. The reporting of cases to the COPFS is undertaken by doctors or boards and not by Government ministers, but it should certainly not be done without consulting the families concerned, so that is what I have asked the board to do.

It is difficult to answer Monica Lennon's question about the most recent case, because I am not sure whether she is referring to the case in the paediatric intensive care unit. However, I am happy to provide an answer to Ms Lennon outside the chamber if she can give me more direct information on what particular case she is referring to. I am very happy to do that, but I do not want to give her an answer if we are talking about different cases. As Ms Lennon knows—I appreciate that she has not done this—we are not in the business of naming individual patients or families here, unless that information is already in the public domain.

Alison Johnstone (Lothian) (Green): I thank the cabinet secretary for the advance sight of her statement. With regard to the public inquiry, I welcome the fact that the terms of reference are being set and that they will be shared with families in the new year. We have to be certain that the remit is appropriate, robust and wide ranging. The cabinet secretary rightly speaks of the need to rebuild public confidence. Given that need and the great public interest in the matter, what steps will the cabinet secretary take to consult Parliament before finalising the terms of reference?

Jeane Freeman: As I have said, I will return to Parliament once the terms of reference have been agreed between me and Lord Brodie. In advance of that, we will consult the families on the terms of reference. I am keen that we get on and agree the terms of reference and get the public inquiry started. Consulting Parliament would probably prolong the process. However, following taking the families' views, I am happy to discuss the draft terms of reference, before they are finalised, with the relevant party spokespeople on health and sport and take their views. I hope that that would be satisfactory to members.

Alex Cole-Hamilton (Edinburgh Western) (LD): I am grateful for the early sight of the cabinet secretary's statement. Although it is very concerning that escalation to level 4 has been necessary and that level 5 might also be necessary, I hope that the steps outlined in the statement will ensure that no patients or families need endure further distress. The cabinet secretary said that the oversight board will ensure improvements to communications. Is she concerned about communication between the health board and the Scottish Government up to this point? Does she have any further understanding as to why the reports identified by Anas Sarwar were not shared with the Government when they were completed? What action has she taken to ensure that that kind of failure to communicate does not happen again?

Jeane Freeman: I believe that we have seen improvements in communication between the

board and the families since Professor White took up the role that I asked him to take up in October. Mr Cole-Hamilton will recall that when I met the group of families that I did meet, which is of course not all the families engaged in this area, we ended up with 71 detailed questions, all of which have now had detailed answers. Professor White took forward that piece of work with the board. I therefore think that we are seeing improvements, but involving representatives of the families in the work of the oversight board on information exchange and engagement is a critical part of ensuring that we continue to see improvement.

I want to see that way of working embedded in the board, so that it will not need external expertise and guidance in order for it to be done but will become business as usual. That will be a significant culture change, but it is very necessary.

Following my meeting with it today, the full board of Greater Glasgow and Clyde is very clear on my expectations of it, with regard to communicating information to the Government. In terms of level 4, the board's job is to provide the Government, through the oversight board, with all the information that we need. It should provide it in a timely fashion, in full, and we should not have to spend time going back and forward looking for different bits and pieces. I am confident that the board understands that and that that will now be the manner of work. Of course, if there are any glitches, I am sure that Mr Cole-Hamilton knows that he can rely on me to act on them in a timely way.

Annabelle Ewing (Cowdenbeath) (SNP): It is surely beyond doubt now that health boards must ensure that they foster a culture whereby staff feel that they can raise concerns. What steps has the Scottish Government taken to support such developments on the part of health boards?

Jeane Freeman: Ms Ewing is absolutely right, and I am sure that she will be aware, from her interest in this issue and the chamber's previous discussions, of the approval by Parliament of the necessary steps to establish the independent national whistleblowing officer in the office of the Scottish Public Services Ombudsman. The Health and Sport Committee has taken evidence from the ombudsman's office on how it will carry out the work. I have made previous statements that, by Christmas recess, we will have appointed the individual board whistleblowing champions and there is a review on a once-for-Scotland basis of all our relevant human resources and other policies to ensure that they are consistent across all boards.

However, members know—I have said this before and I know that we agree on it—that having whistleblowing policies is fine, but they do not necessarily, in and of themselves, ensure that staff

in any organisation, not least one as large as our national health service, feel safe, empowered and welcome when they raise issues of concern. That is a huge cultural piece of work that we are actively engaged in, through the short-life ministerial group, with a range of stakeholders from regulatory bodies to NHS boards to representatives of unions and others, and it will take some time for us to be confident that we have secured the level of cultural change that we need inside the NHS for that to be the case. We will build into our annual ministerially led reviews and mid-year reviews of our health boards key questions and discussions in order to ensure that we can keep tabs on the improvements that we are looking to see with regard to the cultural issues that lie underneath Ms Ewing's question.

Annie Wells (Glasgow) (Con): A few weeks ago, I highlighted the case of Sam, a 13-year-old who was tragically diagnosed with leukaemia. Sam was unable to be treated at ward 6A at the Queen Elizabeth university hospital and he was sent to Edinburgh, where he got the last available bed. Wards 2A and 2B in the Royal hospital for children have been closed since September 2018. Is the cabinet secretary confident that those two wards will reopen in March 2020, ensuring that no more patients and their families, like Sam's, have to go elsewhere for vital treatment?

Jeane Freeman: I am grateful to Ms Wells for that question and, of course, I take this opportunity, through her, to express my sympathies to Sam's family. Ward 6A in the Queen Elizabeth, to which wards 2A and 2B were decanted, has now opened to new admissions, which is a positive step. That was done as a consequence of incident management team meetings that involved clinicians and others who were involved in ward 6A, so that they were comfortable that that was the right thing to do. With regard to wards 2A and 2B, my understanding is that the board is on track, but we are currently in discussions with it and are being updated on exactly what work needs to be done and whether further work or validation needs to be undertaken so that we can give a final timeline for the reopening of wards 2A and 2B.

Fulton MacGregor (Coatbridge and Chryston) (SNP): It is welcome that an external senior figure will take over infection control in Glasgow. What steps have been taken to examine past cases so that the events that have been described are not repeated?

Jeane Freeman: I have instructed the oversight board, supported by all those whom I mentioned earlier, to carry out a full review of all relevant cases. They will go back to 2015 and work their way through all those cases in detail. All the steps that I have set out will be considered, as well as

the broader clinical context of each case, so that there is a thorough investigation into whether each infection case was healthcare associated and whether there was any associated mortality in them. I know that members will understand why that review is complex. It will take some time, but it needs to be done in that detailed, forensic, case-by-case way. That will start from 2015.

Anas Sarwar (Glasgow) (Lab): A child who lost their life is at the heart of this case. The cabinet secretary has said that the independent water report that was done in the week that the superhospital—which cost over £800 million and was built at the heart of Nicola Sturgeon's former constituency—opened was not shared with the Government. That is simply unforgivable. The water supply was deemed to be not safe and high risk. In those circumstances, the hospital should never have been allowed to open.

Will the cabinet secretary launch an urgent investigation into how that was allowed to happen and ensure that heads roll? I do not doubt her sincerity on the issue, which is why I welcome the appointment and implementation of the oversight board. However, patients, parents and the public have lost faith in the leadership of the health board. The people on it must be moved aside to allow a genuinely independent investigation to happen. The longer they walk the crime scene, the more chance they will have of compromising the investigation and the more chance there will be of our failing before we have even begun.

Jeane Freeman: I agree with Mr Sarwar that the non-sharing of the reports with the Government and, I understand, the non-sharing of those reports with the board in 2015 are entirely unacceptable and that, from looking at those reports, action should have been taken before patients and others moved into particular areas of the hospital. Staff were concerned with particularly vulnerable groups of patients. The rest of us manage such infections, and we probably do not even notice that we have them because our immune systems work healthily and well. However, the organisms are particularly dangerous and threatening for that vulnerable cohort of patients.

I do not disagree with the sentiment that Mr Sarwar has expressed. We have taken steps in giving the clinical lead on healthcare-acquired infection to a medical director whom we are bringing in, and to ensure that we have independent expertise, for example. It should be remembered that those steps are in the context of the independent review that I commissioned, which is due to report in the spring of next year, and the public inquiry, which will go further behind some of the issues that Mr Sarwar has raised about the overall design, construction, build and

maintenance of the hospital and how it contributes to effective infection prevention and control, or otherwise. I want answers to those questions, as well.

Stuart McMillan (Greenock and Inverclyde) (SNP): Can the cabinet secretary provide an assurance that the families of children who were treated in the cancer ward, including one of my constituents, will have the opportunity to engage fully with the oversight board to highlight concerns that they have had and that their concerns will be listened to and acted on to ensure that lessons can be learned for the future?

Jeane Freeman: Yes, I can. Professor White is already engaging with families. He has written to all 400 families who have a connection with that particular haemato-oncology service, which is currently located in ward 6A, asking them for any questions that they have. Professor White has also asked for their views on their experience of receiving information, asking questions and receiving answers and what more they think can be done. As I have said, two representatives from families are actively engaged in the oversight board's work on improving communication, engagement and information exchange. As I have also said, we will consult families on the remit of the public inquiry and if anything more comes from families on their active engagement, I will be very happy to look at that. Of course, all the families who are involved will be consulted in that case-by-case review on how they want to be involved. If they want to be fully involved, of course they will be.

The Presiding Officer: Apologies to Emma Harper, John Mason, Brian Whittle and David Stewart. I am afraid that we have run out of time.

Education (Performance)

The Deputy Presiding Officer (Christine Grahame): The next item of business is a statement by the Deputy First Minister and Cabinet Secretary for Education and Skills, John Swinney, on performance in Scottish education—the programme for international student assessment 2018 results and achievement of curriculum for excellence levels 2018-19 statistics.

14:56

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): I welcome the opportunity to update Parliament on the latest performance information that we have on the Scottish education system.

Last week, the PISA data from the 2018 survey was published and this morning we have seen the 2018-19 achievement of CFE levels data, as well as the 2019 summary statistics for schools, which include the latest data on teacher numbers. That material provides a range of information that sets out the progress that is being made in Scottish education.

I start by paying tribute to the hard work of all the teachers, children and young people in our schools. I visit schools up and down the country, where I see at first hand the talents of our young people and the commitment of the teachers and other school staff who support them to achieve their potential.

The school census data that we published this morning demonstrates that the action that we are taking on teacher recruitment is working. The data shows that teacher numbers have increased for the fourth year in a row: the number of teachers in our schools has risen by 288 to 52,247 in 2019, which is an increase of more than 1,500 since 2014. That represents excellent progress; we now have a 10-year high in the number of teachers. Even more striking is that primary-school teacher numbers are at their highest level since 1980—the highest for 39 years.

I also draw members' attention to the figures that were published on 15 November, which indicate that permanent teacher vacancies for primary and secondary schools combined have fallen from 606 to 382 in a year.

The ratio of pupils to teachers nationally remains at its lowest since 2013. I am pleased that a large number of local authorities have either maintained or improved their teacher numbers and pupil to teacher ratios. We will continue working with partners to ensure that children in all local authorities benefit.

Our focus on maintaining teacher numbers has allowed local authorities to take flexible decisions on how best to meet the needs of their schools and to prevent increases in class sizes. The decrease from 511 to 267 in the number of primary 1 pupils in classes of 26 or more in 2018 is encouraging. The figure equates to about just 10 classes in the whole of Scotland. The contrast with the situation when we took office, when there were more than 16,000 P1 pupils in classes of 26 or more, could not be clearer.

That is real progress, but work to further improve recruitment continues. We are supporting universities in development of new and alternative routes into teaching, including a focus on increasing the number of science, technology, engineering and mathematics teachers. Over the past two years, those routes into teaching have attracted 800 people who might otherwise not have entered teaching.

We are again offering bursaries of £20,000 for career changers to undertake teacher training in STEM subjects, where the demand is at its greatest. A new phase of our recruitment campaign is also under way, and we have added Edinburgh Napier University and Queen Margaret University as teacher-education providers.

It is also important to recognise the role that other staff have in supporting children and young people in our schools. Our decision to have counsellors available to support young people's mental health in every secondary school in Scotland—the first of whom will begin work this year—is a significant step forward, as is the £15 million a year that we announced in the programme for government to provide enhanced support to children with additional support needs.

I am encouraged by today's achievement of CFE levels data. First, I welcome the chief statistician's decision to remove the "experimental statistics" label from the data. That is a clear indicator of the positive work that teachers and local authorities, supported by Education Scotland and the regional improvement collaboratives, have done to ensure the quality and consistency of teachers' professional judgements.

Secondly, I am encouraged because the data itself is positive, demonstrating, as it does, that Scotland is moving in the correct direction.

The international council of education advisers has indicated to me that we should aim to make a series of incremental gains—of the type that are now evident in Scotland—in order to deliver sustainable improvement.

The data on achievement of CFE levels shows, for the second year running, increases in attainment across all four key outcome measures. For example, there has been a rise of about one

percentage point in primary literacy and in secondary numeracy. The latter is particularly welcome in the light of last week's PISA results, which showed that we have progress to make in maths.

The data, when it is looked at in more detail, shows an improvement in the results on most indicators in reading, writing, listening and talking and numeracy at P1, P4 and P7. Secondary 3 results show a similar picture at third level and fourth level.

I am also pleased to see that the data demonstrates that we are making progress on equity. Attainment in numeracy at all stages, and in reading and writing at P1, P4 and P7 rose among the most disadvantaged children and young people. The attainment gap between the most and least disadvantaged has narrowed, in most indicators. For example, the gap in P1 literacy has closed by 1 percentage point, and in P7 literacy it has closed by almost 2 percentage points.

Although the overall picture is positive, there are, of course, local variations in the figures, so we will work with Education Scotland and local authorities over the coming year to support improvement.

Although this is only the fourth year of ACEL data, it clearly demonstrates that we are on the right track. We are beginning to see the system-wide benefits of the system-wide reforms that we have introduced.

We are seeing some progress towards closing the poverty-related attainment gap. That is encouraging and has been further emphasised by the data that we see today. In order to keep up the momentum, I signal to the education system today that the Government will maintain its focus on closing the poverty-related attainment gap. Today, we have published the updated "2019 National Improvement Framework and Improvement Plan", which sets out that continuity of direction. I am determined that the system should benefit from a clear focus in order to ensure that the improvement work that is being undertaken across the Scottish education system has time to become embedded.

The international council of education advisers advises me that the challenge now is to deepen the level of progress and impact, so that is what we intend to do.

I turn to last week's PISA results. It is important that Parliament hears accurately the outcome of the survey and what the PISA data shows us. It shows a sharp recovery in results on reading, which is very welcome and comes from a determination after the previous PISA results to

make improving literacy a focus of our attainment challenge.

According to independent statisticians, performance in maths and science is stable. However, I do not deny that there is a challenge in that respect. Although performance is in line with the Organisation for Economic Co-operation and Development average, it must improve. Initiatives that we have under way, such as our STEM education and training strategy, the STEM bursaries and the work on the “Making maths count” initiative are all about making sure that we improve performance.

It is also really important that we see the PISA data in context. I have already spoken about the positive CFE levels data; there is a wealth of other evidence. Performance in higher exam passes is improving in terms of the proportion of young people who leave school with highers and in terms of closing the attainment gap in higher exam results. How those things are counted has changed over the years, so we cannot always make direct comparisons. However, where we can, we find that the amount of pupils who get a higher or better is up from 50.4 per cent in 2009-10 to 62.2 per cent in 2017-18.

We are now seeing record numbers of young people from all backgrounds achieving positive destinations, and more young people from more disadvantaged communities going to university. There is a lot of good news in Scottish education, which is tribute to the hard work of young people and their teachers.

It is not “Job done”, however. The Scottish Government remains absolutely committed to ensuring that we continue to see sustained improvement across the education system. Teacher numbers are at their highest in 10 years, and we are seeing incremental gains in attainment across the broad general education. Although parts of the attainment gap remain stubborn, there are initial signs of improvement.

In September, the ICEA was clear that I should not let the PISA results—no matter what they show—be a distraction from our long-term goals. The council advised that, on the basis of the evidence, Scotland is heading in the right direction and is taking the right approach to improving education. I value and welcome that advice. I believe that the direction of travel is the right one—the data supports that view. Our responsibility is to keep a strong focus on continued improvement. Now is the time to stay the course, as per the advice of the experts, so that is what the Scottish Government intends to do.

The Deputy Presiding Officer: The cabinet secretary will now take questions. I will allow 20 minutes for those, after which we must move on.

Liz Smith (Mid Scotland and Fife) (Con): I thank the cabinet secretary for early sight of his statement. I am pleased that, notwithstanding some welcome improvements in the trends that he mentioned, he admits that significant challenges remain in the Scottish Government’s education policy and its aims.

In that context, I ask the cabinet secretary three questions. First, can he explain why he is convinced that we have better school attainment data than we have ever had before? That is what he said last week, but that opinion is completely at odds with the view of Scotland’s educational experts. That includes the view of the commission on school reform, which said last week that the data set is

“the poorest that it has been since the 1950s”,

and the view of Professor Paterson, who argues that, in light of the situation, effective policy making is undermined.

Secondly, will the cabinet secretary now accept the recommendations of the commission on school reform, which are that Scotland should rejoin the international measures of both the progress in international reading literacy study and the trends in international mathematics and science study, and that there should be a new sample survey of performance in the key curricular areas of broad general education?

Finally, will he tell the Parliament why, despite some improvement in teacher numbers, there are 2,835 fewer teachers since the Scottish National Party came to power while the pupil cohort is increasing, and whether he believes, as many secondary schools do, that that has a negative effect on subject choice?

John Swinney: Let me address Liz Smith’s first two questions together, as they relate to the same issue, which is the quality and range of available information. We participate in the PISA exercise, which is an international survey whose latest results were published last week, and we intend to continue to participate in it. The problem with sample surveys, such as the Scottish survey on literacy and numeracy, is that when an issue needs to be confronted—there was such an issue in 2015—the sample survey tells us generically that there is an issue, but it does not tell us where the problems lie. I am interested in solving where the problems lie.

The data that is now available to us, which is assembled pupil by pupil, across every school in the country, gives us a picture of performance. That data allows Liz Smith to compare the relative

performance of local authority areas—in my statement, I highlighted the fact that we need to confront that local variation as a country to ensure that the educational needs of young people are met.

All of that flows into the national improvement framework data that we gather and on which we published an update today. It sets out the various measures that we look at, which we consulted on and on which I thought that we had reached some broad agreement that they were the measures that required to be looked at to assess the closure of the poverty-related attainment gap. I firmly believe that we have a comprehensive dataset that enables all of us to judge the progress of Scottish education.

Liz Smith's final point was about teacher numbers. I am really pleased that teacher numbers are at a 10-year high: that is really welcome and it has come about as a consequence of the investment. She asked me to explain what the challenge has been with teacher numbers. I shall give it to her in one word: austerity. It has been due to austerity by the Conservative Government. If Liz Smith does not know that austerity has been the problem undermining our public services for the past nine years under the Conservative Government and if she does not understand austerity, she does not understand the suffering that has been experienced by people in Scotland and why we should get rid of the Conservative Government on Thursday.

Iain Gray (East Lothian) (Lab): I thank the cabinet secretary for early sight of his statement. I agree with him about the hard work and achievement of our teachers and young people, yet that has been in spite of one of the heaviest teacher workloads in the developed world.

Twelve years ago the Scottish National Party Government was elected on a promise to cut class sizes to fewer than 18 in primaries 1 to 3. The figures released today show that, in fact, since 2007 we have 2,853 fewer teachers, that average primary class sizes are bigger and that the pupil teacher ratio has increased. There are more pupils in early primary classes that are bigger than 18 pupils than there were when the SNP took office, never mind none, as promised. As for there being only 10 primary 1 classes with more than 25 pupils, nine years ago we legislated to make 25 the maximum P1 class size, so perhaps the cabinet secretary should explain why there are any classes at all of that size in primary 1. Instead of blaming others or picking random years for comparison, will the cabinet secretary just be honest and admit that the SNP record on education is fewer teachers and bigger class sizes?

John Swinney: I suppose that it was predictable that Mr Gray would trot out the same response. As for me blaming others, the only people I blamed in the statement were the Conservatives for austerity. From what I could make out from all the shouting that was going on while I was answering the question, it seemed as if the Labour Party was supporting the Conservative Party on austerity.

Mr Gray has acknowledged that we have more teachers in our classrooms today. I am really pleased that teacher numbers are at a 10-year high; that shows that the investment the Government is making, despite austerity, is having an effect on the presence of teachers in our country.

Mr Gray will know from the negotiations we have undertaken with our professional associations that the Government is tackling the issue of teacher workload. Much progress has been made on that through the work that we have undertaken on unit assessments and other work to streamline teacher workloads through the pay agreement. I hear Mr Gray muttering about the Educational Institute of Scotland. The EIS is fully working in partnership with us to tackle teacher workloads: he should get out a bit more and speak to his trade union colleagues.

Finally, it is really welcome that we do not have 16,000 P1 pupils in classes of 26 or more any longer: that is now down to 267 because of the investment that this Government has made.

The Deputy Presiding Officer: Before I call Ross Greer, the first two questioners were entitled to ask long questions, which got longer answers, but 11 members want to ask questions and I want to get them all in. I want short questions, please, and snappy answers, if possible.

Ross Greer (West Scotland) (Green): I thank the cabinet secretary for advance sight of his statement, although I have to say how frustrating it is that his obfuscation is trying to hide the fact that there are 2,800 fewer teachers than there were when the SNP took office—no spin can hide that.

I accept that the S3 attainment data—

The Deputy Presiding Officer: I asked for a question and I want a question. Show what can be done.

Ross Greer: I accept that the S3 attainment data is used to measure the attainment gap, but the S4 attainment data shows that the gap is growing at five times the rate that it is closing in S3. Does the Deputy First Minister know why? If not, will he undertake to find out and report back to the Parliament?

John Swinney: Mr Greer will see from the data that 90 per cent of young people now achieve

level 3 in S3, which is exactly what we want them to achieve, and growing numbers of young people are achieving level 4 as part of their achievements in S3.

Obviously, in S4, young people move on into the senior phase and are able to make choices about the pathways that are appropriate for them; they will make their judgments accordingly, based on the wide range of choices that is available in Scottish education.

We are determined to ensure that, at every stage in our education system, poverty is not a disadvantage to young people who are trying to achieve their potential. We see the fulfilment of that in the improving position on access to university for young people from deprived backgrounds.

Alex Cole-Hamilton (Edinburgh Western) (LD): The SNP Government has spent the best part of a week celebrating stagnation and our having far fewer teachers than we had when it took office.

Teachers are at their wits' end with this Government. Will the Scottish Government show them the respect that they deserve and relieve the pressure on them by commissioning a McCrone 2 to fill in the gaps and restore support in our classrooms?

John Swinney: Despite the austerity that was ushered in by the Liberal and Conservative Government in 2010, the Scottish Government has managed to increase teacher numbers to a 10-year high.

If Mr Cole-Hamilton had been paying attention, he would have noticed a comprehensive pay deal with the teacher professional associations earlier this year, which related not just to pay but to workload and a variety of other issues, and which was supported—by a massive margin—by the teacher professional associations. I think that that support represents a degree of satisfaction with the negotiation that we were able to conclude with the professional associations.

Clare Adamson (Motherwell and Wishaw) (SNP): The curriculum for excellence levels data that was published today on an individual pupil basis, which includes primary and secondary school pupils, shows an improvement in achievement in almost all areas and particularly in numeracy. Given the concerns about the PISA results last week, should the data reassure parents, carers and pupils that the actions that this Government is taking are the right ones?

John Swinney: In the attainment challenge, which was formulated in 2015, we prioritised improvements in literacy, and we saw the manifestation of that in the PISA survey last week.

We are now seeing, in the broad general education in primary and secondary schools, a much stronger focus on enhancing numeracy activity and numeracy interventions. The indications in today's data are encouraging and, given the clarity that I have provided on the constancy of direction in education policy, schools can rely on the support and investment that we have provided to increase performance in numeracy.

Alison Harris (Central Scotland) (Con): I declare an interest: I am finance director of Relationships Scotland—Couple Counselling Central Scotland.

The decision to have counsellors available in every secondary school to support pupils is very welcome, given the rise in schoolchildren who are affected by mental health issues. Although many counsellors for adults are available, there is a shortage of appropriately trained and qualified counsellors for young persons. What is the Government doing to address that shortage so that it achieves its commitment to place counsellors in every secondary school?

John Swinney: We are involved in a recruitment and training exercise with our local authority partners, to enable that to be the case. Alison Harris highlights the importance of early intervention through the availability of mental health counsellors in secondary schools, which is exactly why we have taken the steps that we have taken; we are working with our local authority partners to ensure that the recruitment and training process can be undertaken to ensure that that capacity is in place during the school year.

Rona Mackay (Strathkelvin and Bearsden) (SNP): The school census data that was published this morning clearly demonstrates that the Scottish Government's action on teacher recruitment is working. Can the cabinet secretary tell the Parliament how the ratio of teachers to pupils in Scotland compares with the ratio elsewhere in the United Kingdom?

John Swinney: I can. In primary schools, there are 15.9 pupils per teacher in Scotland, compared with 20.9 in England, 22 in Wales and 22.3 in Northern Ireland. In secondary schools, there are 12.4 pupils per teacher in Scotland, compared with 16.3 in England, 17 in Wales and 15.7 in Northern Ireland.

Daniel Johnson (Edinburgh Southern) (Lab): If we are to learn the lessons from the PISA results, we need to be frank about what the results say. If we acknowledge that they are part of a 20-year downward trend, will the cabinet secretary acknowledge that the reading results that he describes as an improvement are simply a return to 2003 levels, as is stated in the report?

John Swinney: Those results represent an improvement in the performance in reading, so we are moving in the right direction in reading. *[Interruption.]* I am not overclaiming; I am claiming that we are moving in the right direction. Our interventions are stimulating an improvement in reading practice. We now need to make sure that the same happens in relation to maths and science, and the curriculum for excellence levels data indicates that the steps that we are taking are supporting that direction of travel.

I am entirely focused on delivering improvement in the Scottish education system—that is what I am here to support and encourage. From the detail that we have seen today, evidence is emerging of that improvement in practice.

Fulton MacGregor (Coatbridge and Chryston) (SNP): The 2019 summary statistics for schools, which were also published today, add to the range of information that sets out the progress that is being made in Scottish education and include data on teacher numbers. What further action is the Scottish Government taking to improve teacher recruitment?

John Swinney: We have put in place nearly a dozen new routes into teaching that are attracting new candidates who, ordinarily, would have found it difficult to pursue the traditional routes into teaching. We have put in place STEM bursaries, which are encouraging people to move from careers in the STEM subjects into STEM teaching training. The £20,000 bursary arrangement is attracting a range of candidates.

I am very pleased with the way in which those new routes have attracted people to make a contribution to teaching. Many of those people are now making their way into the education system, where they are having a profound effect on teaching and learning, both for young people and by supporting their colleagues to enhance their continuing professional development.

Oliver Mundell (Dumfriesshire) (Con): Given the clear challenges that we have heard about today, does the cabinet secretary take any personal responsibility for the state of Scottish education?

John Swinney: Mr Mundell knows me well enough; I do not shirk my responsibilities. Of course I take my responsibilities deadly seriously. I am here to improve Scottish education.

Equally, however, Mr Mundell must take responsibility for the shocking levels of austerity that his Government in London has inflicted on young people in Scotland, which has had the effect of massively increasing child poverty and forcing children to go to school hungry. That is what Mr Mundell has delivered for Scottish education.

John Mason (Glasgow Shettleston) (SNP): Does the cabinet secretary feel that the PISA system, which has been criticised by academics around the world, gives an overall view of the whole of Scottish education? The emphasis seems to be on mathematics, science and reading. Although those are important, physical, moral, civil and artistic education are ignored.

John Swinney: The PISA data is one element, but not the only element, of the information that we must look at; the same goes for the achievement of curriculum for excellence levels data. We must look at a range of evidence. That is why the Government produced the national improvement framework. All the measurement data that it contains gives us a broad picture of the wider achievement of the education system.

A development in the PISA system that will look at wider competencies will address some of the issues that Mr Mason raised. That information will be available in due course—if my memory serves me right, I think that it will be available in 2020. That is not an element of the survey that we are compelled to be part of, but we have opted to be part of it, because we recognise that it will give us valuable information on the breadth of the effect of curriculum for excellence.

Mary Fee (West Scotland) (Lab): Although the marginal improvement in narrowing the attainment gap is welcome, statistics show that the gap still increases as children progress through school. What specific steps will the Scottish Government take to tackle that damaging trend?

John Swinney: We must make sure that we support young people constantly, at every stage in their development, to ensure that we close the poverty-related attainment gap. That is why we are making the investment that we are making in the early years sector. We want to act at the earliest possible opportunity to narrow that gap and to support the learning of young people. That can be done in a variety of ways. An important element is the provision of family support for learning, which is critical in ensuring that young people can fulfil their potential.

As we take forward the expansion of early years provision and support for family learning and family engagement, I want to make sure that we address the individual needs of young people who face challenges in our education system—especially those who do so because of their background—in the way that is envisaged through the Scottish attainment challenge, which has a focus on making sure that every young person can fulfil their potential.

Bill Kidd (Glasgow Anniesland) (SNP): In 2018 the ICEA said:

“the ICEA wishes to commend the Scottish Government for its dual focus on excellence and equity, which is now central to policy formation and policy implementation within the Scottish education system.”

Given those comments in recognition of the evidence of progress in closing the gap, can the Scottish Government emphasise the importance of keeping focus on that long-term task?

John Swinney: In my statement I made it clear that the Government would remain very firm in its focus on closing the poverty-related attainment gap through the pursuit of excellence and equity within our education system. That is designed to give utter clarity of purpose to those in the education system that they will not have to deal with some change in Government policy in the foreseeable future. The Government is committed to that agenda, and the education system has responded powerfully and emphatically on it. I hope that the clarity that I have given today responds adequately on the issue that Mr Kidd has raised and gives a line of sight for our education system across the country.

The Deputy Presiding Officer: I thank all members: we have been able to get everyone's questions in.

Human Rights Defenders

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-20192, in the name of Christina McKelvie, on reaffirming Scotland's support for human rights defenders.

15:26

The Minister for Older People and Equalities (Christina McKelvie): Today is human rights day. Each year, 10 December is celebrated around the world as the date in 1948 on which the Universal Declaration of Human Rights was adopted by the United Nations General Assembly. I am delighted to mark the occasion by opening today's debate in the Scottish Parliament.

We celebrate human rights day because we believe in a world that can do so much better—a world in which every member of humanity can live with dignity and enjoy their full rights. We can all contribute to achieving that shared vision as individuals, as political leaders, as community activists and as members of wider society.

I pay special tribute to a group of people who are deserving not just of our admiration and support, but of our profound gratitude and respect. It is no coincidence that yesterday, the day before human rights day, was designated by the United Nations as international day of human rights defenders. Without the courage and self-sacrifice of the thousands of individuals around the world who daily stand up for human rights by challenging human rights abuses and holding powerful people to account, we would not have anything to celebrate on human rights day. Without the work that is done by human rights defenders in every nation, the rights that we all cherish would, ultimately, be in peril.

The work that is done by human rights defenders spans the entire spectrum of civil, political, economic, social, cultural and environmental rights. They campaign to open up space for civil society, to meet people's basic needs in healthcare, education and advice, to educate people to know and claim their rights, and to hold to account those who are in power. They do so, however, at considerable personal risk. The daily experience of many human rights defenders—and their friends and families—is that they face the threat of physical attack, harassment, detention, surveillance, legal action and defamation of character.

Speaking up for human rights also costs lives. According to the leading non-governmental organisation, Front Line Defenders, 321 human rights defenders in 27 countries were targeted and killed in 2018 for the work that they did. That is a

grim statistic and, shamefully, the number stands at an all-time high.

Colombia is a country where that risk is particularly acute. Of the 321 defenders who were killed in 2018, more than a third—126 people—were killed in Colombia. In Colombia alone, 59 human rights defenders were killed in the first six months of 2019. Death threats against human rights defenders have increased by 75 per cent.

In October, I had the great pleasure of meeting two inspirational human rights defenders from Colombia, who represent the communities that live along the banks of the Atrato river, in the Chocó region. It is one of the poorest parts of the country, and it is home to indigenous and Afro-Colombian communities who depend on the river for sustenance, health and sanitation. The river also underpins their spiritual and cultural lives. Their way of life is under threat from conflict, mining activity and environmental degradation. It is one of the world's top 10 biodiversity hotspots, but the river has become a toxic dumping ground for pollution from illegal mining. Local people face intimidation from paramilitary groups and increasingly serious threats to their health and their environment.

Local communities have now taken the initiative by establishing the guardians of the Atrato, in order to uphold a landmark ruling by the Colombian constitutional court. In 2017, the court ruled that the Atrato river, together with the biocultural and human rights of local communities, must be safeguarded. The ruling placed direct responsibility on the Colombian Government for ensuring the river's protection, maintenance, conservation and restoration.

The Atrato river guardians are now working to monitor implementation of that judgment. In doing so, the group of seven men and seven women are standing up to powerful interests in government, business and armed militia groups. The courage that it takes for them to do that is truly inspirational. They deserve not just our admiration but our active support for the work that they do in helping the Atrato river communities to defend their rights.

I am pleased to say that Scotland has been showing solidarity in very practical ways, through the work that is being done by Dr Mo Hume and her colleagues at the University of Glasgow, in collaboration with the Scottish Catholic International Aid Fund and local partners in the Chocó region. That is something that we should all be proud of. It was great to meet them when they came to Parliament a few weeks ago.

We are also acting to demonstrate solidarity with human rights defenders through the work of the Scottish human rights defender fellowship,

which exists to enable prominent human rights defenders to spend time in Scotland—even although we cannot guarantee them good weather—to develop their skills and to extend their networks in a place of safety, which is important. The fellowship ran for the first time in 2018, and this year we have been delighted to welcome two human rights defenders, from Russia and Zambia. I am very pleased that Konstantin Baranov and Laura Miti are both in the gallery today.

Human rights activists in Russia face different threats from those that are faced by activists in Colombia, but the threats are no less significant. There are severe restrictions on freedoms of expression and assembly, and human rights organisations including the non-governmental organisation For Human Rights, have been closed down by the courts. Individual human rights activists face smear campaigns, internet restrictions and arbitrary detention. Respected organisations that work to document human rights abuses and to challenge corruption have been denounced as “undesirable”.

Funding from within Russia to support such work is limited, yet those who accept money from external sources find themselves being accused of being foreign agents. Recent changes to the law mean that independent journalists and bloggers now face the same difficulties.

The human rights situation in Zambia illustrates a different challenge altogether. Like the United Kingdom, Zambia is a democracy. It does not have a history of being a repressive state. In fact, Scotland has a close and enduring friendship with Zambia, and it is one of our four international development partners. Nonetheless, those who speak out for human rights and who challenge corruption and injustice there can face harassment and marginalisation. The space that is available for civil society and journalists to operate in is under pressure. Legitimate public protests can be met with a heavy-handed and even violent response from the authorities.

Zambia has rich natural resources, yet there are pressures on small farmers, and there are questions about equitable access to land, food insecurity and poor nutrition. Zambia is famous for its copper mining industry, but there are concerns about the impact of mining on public health. There have also been concerns recently about lesbian, gay, bisexual, transgender and intersex rights in Zambia. We know that such challenges are not unique to Zambia. The United Kingdom, too, has questions to answer about hunger, food insecurity and other rights abuses.

Issues such as land reform and the public health importance of environmental protections are essential to the work of this Parliament. We have championed the rights of LGBTI people here—

indeed, the Scottish Parliament was founded on the principle of non-discrimination. Human rights are universal and apply to all, irrespective of gender, race, sexual orientation or any other characteristic.

More generally, though, human rights defenders in many countries are at risk of being criticised, excluded and ignored. It takes courage and commitment to risk one's career or to face intimidation in order to speak up for human rights. Again, we in Scotland must be on our guard—we cannot ever become complacent.

Our commitment to human rights is also a commitment not merely to tolerate dissenting views or to put up with opinions that we do not personally share. For human rights to prosper in Scotland we must respect and genuinely value the diversity of Scottish society. We must commit to sharing and debating our different views and opinions in a spirit of openness and mutual respect, and with a dedication to shared human rights values and to pursuit of the common good. I hope that that will be the tone of today's debate.

In that respect, this year's Scottish human rights defender fellowships could not have had better participants than Konstantin Baranov and Laura Miti. They both work tirelessly in their own countries to support human rights defenders, to build capacity and increase the space for civil society to operate, and to educate people that they may hold their Government to account for their actions and their use of public resources. During their time in Scotland, they have held up a mirror to our policies and practice, not just by participating in events and meeting new contacts, but by offering their expert insights and by drawing on their immense practical experience in order to help us here. That two-way exchange of knowledge and skills is a fundamental part of the fellowship.

I pay tribute to the two fellows and express my gratitude—once again—to the University of Dundee, Amnesty International, Front Line Defenders and all our other partners for making possible the fellowship, of which we should all be very proud.

I conclude with the self-evident truth that we are all human rights defenders. Wherever we are, and whoever we are, we each have a vital contribution to make. That includes Scotland's children and young people, who also play an important role in standing up for human rights. Age is no barrier to speaking out for what is right. If members have seen any of the fearless youngsters during events that they have held in Parliament, they will know how absolutely fearless they are. Last week, I was particularly pleased to meet Revati Campbell, Gavin Stewart and Beccie White from the Scottish Youth Parliament, who were able to come to Bute

house to meet the Scottish human rights defender fellows.

We might not all face the same threats as the Atrato river guardians, or be in a position to undertake work on the scale, and with the sophistication, of Konstantin Baranov and Laura Miti. However, we should all be inspired by their examples—we all have a part to play.

Human rights defenders teach us the importance of standing up for human rights. In this Parliament, across civil society and throughout Scotland, we all have a duty to raise our voices in support of the vision that we share. That vision is for a Scotland and a wider world that truly live up to the promise of the Universal Declaration of Human Rights, and which secure fundamental human dignity for every member of humanity. On human rights day 2019, I once again commend the vision of this Parliament.

I move,

That the Parliament notes that the International Day of Human Rights Defenders is celebrated each year on 9 December and that 2019 marks 21 years since the adoption by the UN General Assembly of the UN Declaration on Human Rights Defenders; appreciates the vital work that human rights defenders undertake around the world, often at considerable risk to themselves, their families and their communities; reaffirms its own support for, and commitment to, the work of human rights defenders in all states and nations, in keeping with the principles of the UN Declaration and in recognition of the critically important role of human rights defenders in working to eliminate all violations and abuses of human rights and fundamental freedoms, and commends and pays tribute to the contribution made by the participants in the Scottish Human Rights Defender Fellowship.

15:37

Annie Wells (Glasgow) (Con): I am grateful to have the opportunity to open on behalf of the Scottish Conservatives in today's important debate reaffirming our support for human rights defenders.

"Some of the bravest people in the world".

That is Amnesty International's description of those individuals who are courageous in the face of threats, harassment, detention and physical attacks. They remain determined in their fight for a freer and fairer world, where human rights are protected for everyone. Sadly, as we heard from the minister, 2018 saw the highest number of human rights defenders killed on record. According to data that was collected by Front Line Defenders, 321 individuals in 27 countries were targeted and killed. The groups that were targeted are wide ranging and include journalists, who often come under severe pressure when shining a light on human rights concerns; women human rights defenders, who are at risk of being targets of sexual and gender-based violence, harassment,

intimidation and public smearing; those who work on land and environmental issues, which include defending indigenous people's rights, often in the face of private companies that are aligned with state interests; and LGBT human rights defenders, who can face multiple threats by the authorities in societies that are deeply rooted in discrimination.

Actions have been taken to protect and aid human rights defenders across the world. The United Nations adopted the declaration on human rights defenders, which states that defenders have a right to defend human rights, associate freely with others, document human rights abuses, seek resources for human rights work, criticise offending Government bodies and agencies, and access protection from the UN and regional mechanisms. Although the declaration is not legally binding, in recent years, several states have adopted laws that explicitly protect human rights defenders.

In North and South America, the Inter-American Commission on Human Rights established a special unit to protect defenders in 2001. The rapporteurship on human rights defenders closely follows the situation of all individuals who work to defend rights in the region.

Similarly, the African Commission on Human and People's Rights appointed a special rapporteur on human rights defenders for the region. Their mandate includes examining the situation of human rights defenders in Africa, submitting reports to the African Commission, developing strategies to better protect human rights defenders and promoting the implementation of the UN declaration on human rights defenders.

In our own country, the Foreign and Commonwealth Office has a long history of supporting human rights defenders. In 2013, the UK became the first state to adopt a plan with specific commitments relating to the protection of human rights defenders working in the fields of business and human rights. The plan stated that the Government would instruct embassies and high commissions to

"work with host governments ... UK business, trade unions, NGOs, human rights defenders, academics, lawyers and other experts so they can help inform companies on the human rights risks they face",

and to

"support ... civil society and trade union efforts to ... promote protection of human rights defenders who are actively engaged on issues relating to business and human rights".

This summer, the UK Government renewed those commitments with the publication of its most recent human rights defenders policy paper. It outlined the importance of human rights defenders

to the UK and ways in which the UK Government can support them. The paper included numerous pledges, such as using

"all routes, bilateral and multilateral, to create stronger global standards to support and protect Human Rights Defenders"

and providing

"practical in-country support as appropriate, taking into account the local context and the wishes of the Human Rights Defender".

The UK has a proud tradition of strong democratic values, and I welcome the UK Government's renewed commitment to promoting universal human rights, with individuals, and communities able to challenge, discuss and debate freely and safely, without fear of attack. That work is vital as, across the world, defenders are facing prosecution every day in their efforts to protect human rights.

Let us take the case of Azza Soliman in Egypt. Azza bravely speaks out for victims of torture, domestic abuse and rape. She co-founded the Centre for Egyptian Women's Legal Assistance and later Lawyers for Justice and Peace to give legal aid, support and literacy lessons to women in poverty and survivors of abuse. Because of that work, Azza and other Egyptian human rights defenders have been labelled as spies and national security threats. They have been targeted with smear campaigns and Government surveillance, and security forces and pro-Government media constantly harass them. Recently, Azza was arrested and interrogated, and she now faces charges of slandering Egypt's name. She has been banned from travel, her assets have been frozen and she could face time in prison. The UK Government has followed Azza's case closely and has highlighted it on several occasions. It has also expressed its concern about the arrests of activists, bloggers and journalists in Egypt.

When the Scottish Parliament was founded, it was written into the Scotland Act 1998 that all its laws must be compatible with the principles of the Human Rights Act 1998. Last year, the Equalities and Human Rights Committee, of which I am a member, carried out an inquiry into embedding human rights in the Parliament's work so that it complies with those principles. The inquiry gave us the opportunity to meet a range of human rights defenders from all walks of life. We heard from two 11-year-old defenders about work that they had been doing to increase children's awareness of human rights and how to protect them. Dylan, from the Children's Parliament, told us about the multiple workshops that he had been leading in schools around Scotland, and his colleague Hannah told us how, on a visit to the UN, she had taken a mural that had been made by children

from her school to show their views on their community.

We also heard from defenders in Leith who had used a human rights-based approach to seek improvements in their housing conditions and to realise their human right to an adequate standard of housing. The community had developed a set of human rights indicators to gain action from the local council. The committee's inquiry was highly informative, and I am glad that we had the opportunity to bring in those brilliant human rights defenders to give us their evidence.

We welcomed the creation of the Scottish human rights defenders fellowship by the Scottish Government and the University of Dundee. The opportunity that the fellowship provides to build relationships and share expertise with Scottish organisations is vital.

I also welcome the support that is provided to human rights defenders by the UK Government through the Magna Carta fund for human rights and democracy. The fund is allocated mostly to projects by human rights defenders and civil society organisations.

In closing, I would like to speak directly to all human rights defenders across the world. You put yourself at great personal risk to protect and promote the rights of others. We thank you for your courage and determination in fighting for human rights. We support you and stand by you, wherever you are in the world.

15:45

Elaine Smith (Central Scotland) (Lab): Scottish Labour welcomes the debate and the chance to reflect on our progress on the human rights agenda, particularly given that the Labour Party has a proud record of promoting and supporting human rights. It was, of course, a Labour Government that enshrined in UK law the rights and freedoms that are contained in the European convention on human rights.

Last year marked the 70th anniversary of the UN Universal Declaration of Human Rights. Last year's debate, rightly, reminded members of the basis on which this Parliament was founded, with human rights embedded in our work and in the Scotland Act 1998, as the minister reminded us in her opening remarks. The rights that are contained in the European convention on human rights are enshrined in section 57 of the Scotland Act 1998, which means that the Scottish Parliament cannot do anything contrary to the rights that are contained in the ECHR. The Human Rights Act 1998, which provides important protection to Scottish citizens in relation to laws that are passed on reserved matters by the UK Parliament, is listed in schedule 4 to the Scotland Act 1998.

Although I think that most of us will agree with today's motion, discussion is still required in some areas, and there are areas of possible disagreement. One such area is the approach that is taken by the Conservative Government at Westminster. Although it might have dropped proposals to repeal the Human Rights Act 1998 and replace it with a British bill of rights, the Conservatives now speak about a pledge to update the act. Sadly, given their track record, I doubt that that would represent an improvement or a strengthening of rights.

Undoubtedly, we have to remain alert and to stick to the pledges that have been made in this Parliament, ensuring that we adhere to the principles on which our Parliament was founded, with everyone having the right to live in dignity and to be treated with respect. The challenges have certainly not diminished over the past 20 years.

The first Scottish national action plan—SNAP—which was widely commended, including internationally, was published on international human rights day in December 2013. The Scottish Human Rights Commission took a leadership role in bringing together people with lived experience of human rights issues and representatives of public bodies and civil society organisations, as well as the Scottish Government. That action plan ran for four years.

SNAP 2 has now been drawn together and is out for consultation. I take this opportunity to thank the Scottish Human Rights Commission and all those who are drafting SNAP 2. I encourage members to promote the work in their constituencies and regions, and I encourage people to provide submissions to the consultation, which closes early next week. Only by ensuring the widest possible engagement can we involve all of Scotland's citizens in advancing the human rights of all.

The Government has a significant responsibility, as do parliamentarians, in our scrutiny and advocacy roles. However, every family, every community and each individual should have an interest in learning about, and standing up for, everyone's human rights. Achieving that approach to human rights is not, and has not been, straightforward. We should not make progress for some at the expense of others, and care must be taken, with respectful discussion and thorough scrutiny taking place at all times.

SNAP 2 includes a recommendation to

"Pursue and advocate for the incorporation of the right to an adequate standard of living and other economic and social rights, including getting cross-party support for this agenda".

My colleagues Mary Fee and David Stewart will mention various issues in the debate, but I would

like to specifically mention the right to food. I note that the Scottish Government is still to bring forward the good food nation bill that was promised. The Scottish Food Coalition and many other organisations, which have representatives at Parliament today, hope to see a clear commitment on the right to food in the bill. Scottish Labour would also welcome that.

However, given that we do not have any detail yet, and to assist with focusing discussion on the matter here in Scotland, I intend to consult on a member's bill. My proposal will include the introduction of a statutory right to food, backed up by an independent statutory body, with clear duties on public bodies, and measures and targets. Labour's manifesto for the UK general election provides a clear commitment to doing exactly that.

This is undoubtedly a human rights issue. It was a point touched on by the minister in her opening statement. One in four children is living in poverty, children are going hungry every day, and food bank use is multiplying at a completely unacceptable rate—that does not meet the high principles in the Universal Declaration of Human Rights. There can surely be no doubt that child poverty must be tackled as a matter of urgency. However, tackling child poverty, which we in the Parliament are all committed to doing, cannot be done without addressing the discrimination against women in our society. Worldwide, women are oppressed and discriminated against on the grounds of their sex—we have heard about that already in this debate. Violence, sexual assault, degradation and poverty are a reality for far too many women, and our commitment to human rights must mean addressing all of that.

Last week, we would all have been shocked to learn of the death of the young 23-year-old woman who died in India in a New Delhi hospital after being set on fire as she travelled to testify at the trial of two men who were accused of raping her. That shocking loss of life must not be in vain, and that young woman's bravery in being prepared to appear in court must be recognised. Violent threats or acts of violence continue to silence far too many women. Here in Scotland, the campaigning organisation Zero Tolerance recently highlighted the steady rise in the number of sexual crimes. The Scottish Government's own figures show 13,547 sexual crimes were recorded for 2018-19. That will be a low figure in comparison to the actual number of sexual assaults, as many still go unreported. The vast majority of those crimes are against women. A recent Engender briefing paper states:

"Violence against women remains a human rights violation experienced at epidemic levels in Scotland."

Those shocking statistics remind us that we all have much to do both nationally and internationally if we are to each take seriously our role as human rights defenders. I therefore welcome the growing support for international instruments being incorporated into Scots law that place women's rights at the core of our work in human rights. The UN Convention on the Elimination of Discrimination against Women marks its 40th anniversary this month. Scottish Labour is pleased to add its voice in support of full adherence to the principles that it sets out at national and international levels.

I will conclude by sharing with members a poem by Marion Bernstein, which she wrote in 1876 and is entitled "Human Rights". It is from "Mirren's Musings". Marion Bernstein was a feminist poet writing in Glasgow in the 1870s, and I believe that, as a woman of great talent, she deserves far greater recognition in the Parliament and in wider Scottish society. Reflecting on her words from over 140 years ago, we are reminded of those who came before us arguing so strongly for a society where everyone has their fair share of resources, and where dignity and respect, rather than abuse, are the norm.

"Man holds so exquisitely tight
To everything he deems his right;
If woman wants a share, to fight
She has, and strive with all her might.

But we are nothing like so jealous
As any of you surly fellows;
Give us our rights and we'll not care
To cheat our brothers of their share.

Above such selfish man-like fright,
We'd give fair play, let come what might,
To he or she folk, black or white,
And haste the reign of Human Right."

On behalf of Scottish Labour, I am happy to support the Scottish Government motion.

The Deputy Presiding Officer: I ask members to keep to their time. I am sorry to say that just before you speak, Mr Finnie. You have four minutes.

15:53

John Finnie (Highlands and Islands) (Green): I do not think that four minutes does the subject justice. I lend the Scottish Green Party's support to the congratulation of the human rights defenders. In talking about gratitude and respect, the Scottish Government minister is speaking for all of us, not least because of the risks—referred to in the motion—at which those individuals put themselves, their families and their communities.

I will touch on the line in the motion that the Parliament

“reaffirms support for, and commitment to, the work...in all states and nations”.

Like the minister, I welcome our visitors, Konstantin and Laura, from Russia and Zambia, two countries in which there are human rights issues. Of course, there are such issues in Egypt, Spain, Saudi Arabia, the US and Israel. Abuse is abuse, regardless of the Government, the country where it takes place or allegiances, so I hope that we apply that understanding consistently. The human rights defenders were defined as

“People who, individually or with others, act to promote or defend human rights.”

The Scottish human rights defenders fellowship, which was alluded to, offers a

“short period of respite and protection in Scotland”.

Those are fine words and Scotland is to be commended for the initiative.

I also draw members’ attention to the St Andrews education for Palestinian students—STEPS—programme at the University of St Andrews. That international approach demonstrates the Scotland that I want to talk about. I have mentioned in previous debates the talks that took place at Craigellachie in the early 2000s that involved parliamentarians from the former Soviet republics of Armenia, Azerbaijan and Georgia discussing the dispute over the territory of Nagorno-Karabakh. There were also the Edinburgh conversations by small groups of academics and retired military personnel that took place in both Edinburgh and Moscow, which led to the maxim of “no first strike” in nuclear war strategy. That maxim formed the basis of the Reagan-Gorbachev summits that brought an end to the cold war. All involved in those discussions were human rights defenders.

My vision for Scotland is for it to be a base for peace talks for truth and reconciliation and a nation promoting and defending human rights and providing respite and refuge. However, we need to look at things slightly differently. Elaine Smith talked about SNAP 1, which was a great initiative, and I hope that its work will continue in SNAP 2. SNAP involved citizen engagement rather than the usual suspects, so a lot of people became involved. I was very pleased to get an amendment to the police legislation that saw a new oath in place whereby police officers swear to uphold citizens’ human rights. When the human rights lawyer John Scott undertook his review of stop-and-search powers, he referred to police officers as front-line defenders of citizens’ human rights. That is not the situation that we see elsewhere, whether that is Spain, Israel or Russia, where the police are used as instruments of the state, as

other members have mentioned. The targeting of journalists is another concern to which members have referred; it involves an attack on the truth and a wish to distort the truth of situations.

Human rights defenders also address the issue of human trafficking. There is a lot of awareness of the indicators of trafficking and slavery and it is important that we appraise the evidence of the trafficking of young women and girls around the planet to satisfy what is called a “growing demand” fuelled by misogyny. I believe that we need to look at all our policies in that area, including our approach to prostitution, in order to assess whether they are helping or hindering human rights. Members also referred to the zero tolerance approach and figures that show a disproportionate impact on women and young girls. I commend the front-line defenders of rights in that area: the trafficking awareness raising alliance—TARA—support service, Scottish Women’s Aid, Rape Crisis and, indeed, Police Scotland. We know about the controlling and coercive behaviour involved in domestic violence, but it is also a feature of human trafficking, whether that is about young women being trafficked into prostitution or about young footballers from Africa.

Human rights are nothing if the state cannot evidence that it is responding to abuses. I support the motion.

The Deputy Presiding Officer: I apologise to Mr Finnie, because I have been told that there is now something like five minutes in hand. Members can therefore intervene to their hearts’ content if they wish—you are all on alert. Otherwise, it is open speeches of four minutes, with time for interventions.

15:57

Rona Mackay (Strathkelvin and Bearsden) (SNP): It is, of course, entirely correct that the Parliament highlights the international day of human rights defenders each year in December to reaffirm Scotland’s support for human rights. This year marks 21 years since the UN General Assembly’s adoption of that international day, but it is a sad fact that in 2019 human rights defenders are more needed than ever before, with many countries throughout the world being in the grip of right-wing Governments and dictators who inflict pain and suffering on those trying to uphold the principle of human rights for all.

We should therefore all welcome the establishment of the Scottish human rights defenders fellowship, which aims to promote our staunch support of human rights defenders around the world. That is a major initiative, introduced by the Scottish Government and Amnesty, which aims to provide human rights defenders with a

short period of respite and protection in Scotland while they conduct research and interact with students, staff, civil society and Government across Scotland. Participants will spend three months here, combining study at the University of Dundee with the chance to build relationships and share expertise with our excellent Scottish human rights and equality organisations.

Our Government is committed to ensuring that Scotland is a modern, inclusive nation that protects, respects and realises internationally recognised human rights; and we stand shoulder to shoulder with those who put their lives—and often their families' lives—in danger when trying to uphold our rights. The 2019-20 programme for government reiterates the Scottish Government's commitment to developing a statutory human rights framework for Scotland, which will be progressed by the national task force for human rights leadership, co-chaired by the Cabinet Secretary for Social Security and Older People, and Professor Alan Miller. It will focus on developing a statutory human rights framework that will enhance the protection of the human rights of every member of Scottish society. Among many other measures, there is the plan that the First Minister announced in April of incorporating the UN Convention on the Rights of the Child into domestic law in this parliamentary session, which I very much welcome.

Last Saturday, my Westminster colleague Stuart McDonald and I took time out from campaigning to take part in Milton of Campsie's write for rights campaign in support of Amnesty International and supporting persecuted human rights defenders. Every December, we send cards of support and write in protest to the officials and embassies that are involved in their incarceration. This year, I admit that I hesitated to commit time in the weekend before a general election, but I realised that I have the luxury of being able to make that choice, whereas the people whom we contact have no choice. Their liberty has been stripped away, simply for speaking out against injustice.

They are people like Yasaman Aryani. On international women's day this year, she walked through a train carriage and handed out flowers with her hair uncovered. She spoke of her hopes for a future in which women could have the freedom to choose what they wear and could walk together

"me without the hijab and you with the hijab".

That was seen as an act of defiance. In April, she was arrested and sentenced to 16 years in prison, of which she must serve at least 10 years.

Sarah Mardini and Sean Binder are on trial for helping to save the lives of refugees in Lesbos. They were imprisoned on charges of spying,

people smuggling and belonging to a criminal organisation and spent more than 100 days in prison before being released on bail. If found guilty at their trial, they could face 25 years in jail. Sean says:

"Humanitarian work isn't criminal, nor is it heroic ... Helping others should be absolutely normal."

Time does not allow me to highlight the many similar horrific cases that have been highlighted by Amnesty International. Most involve children and young people and are, frankly, heartbreaking. We know that a hard exit from the European Union will adversely affect human rights in the UK and that Scotland's democratic right has been breached by a Westminster Government that has ignored the wishes of Scotland's people to remain in Europe.

That is why now, more than ever, we must stand up for human rights defenders who strive to restore dignity, respect and justice to those most in need in our country and throughout the world.

16:01

Alexander Stewart (Mid Scotland and Fife) (Con): I am delighted to contribute to today's debate on reaffirming Scotland's support for human rights defenders on international human rights day. Their efforts to defend civil, political, economic, social and cultural rights can make a real difference to the lives of some of the world's most vulnerable individuals and peoples. As many of us know, they have been described by Amnesty International as

"some of the bravest people in the world".

The sensitive nature of their work means that human rights defenders and people close to them, such as their families, can be targeted, and the abuse takes place in their communities. It is often carried out by groups or individuals who want to stop their human rights activities; it could be Governments, security forces, businesses, armed groups and organisations or members of their community who wish them not to go forward and want to ensure that their rights are curtailed.

It is important that we identify that human rights defenders come to the fore when individuals and organisations believe that their power is being compromised or their reputation is being called into question. The defenders tackle and take that on, sometimes ensuring that their safety is put in harm's way and they can be attacked for being defenders. Issues range from executions and torture to female genital mutilation and healthcare access, and defenders take up all of them to protect and promote democracy across the globe.

Sadly, as we have heard, human rights defenders put themselves at risk, and their work can ensure that they are harassed, subjected to

violence, intimidated, detained or even killed. We have heard today that, tragically, in 2018, the number of human rights defenders who were killed was the highest on record: 321 defenders in 27 countries were targeted. More than three quarters—77 per cent—of that total were killed because they were defending land, the environment or indigenous peoples' rights.

In recent years, some countries have taken the welcome step of adopting laws that seek to protect human rights defenders. Although those declarations are not legally binding, at least they are a step in the right direction.

That means that many human rights defenders, particularly in countries that have poor human rights records, remain at significant risk.

As we have heard, Scotland is playing its part. In her opening remarks, the minister referred to a number of things that are happening. The Scottish human rights defenders fellowship programme needs to be recognised, as well as the skills, safety and partnerships here and our links with Russia and Zambia. Our four international partners participate in the process, and the minister continues to do work in the area. I commend her for her endeavours. We talk about land reform, LGBTI issues and courage. We need to have courage, and it is good that there is courage at the ministerial level. Ministers being prepared to stand up and be counted makes a difference.

My colleague Annie Wells spoke about the targeting of individuals and organisations, including women and journalists, the protection that is required, and how poverty plays a part. It is very welcome that there has been a lead from the UK Government. There is also the Foreign and Commonwealth Office's Magna Carta fund to help. Those things are very important.

Although there is still a long way to go to achieve tolerance and respect for human rights on a global scale, the national task force ensures that there is enhanced protection of human rights for every member of Scotland's society. We will continue to ensure that we play a leading part in that.

I thank everyone who has given us updates and briefings, and I support the motion.

16:06

Annabelle Ewing (Cowdenbeath) (SNP): I am pleased to have been called to speak in this timely debate on human rights defenders on international human rights day. Indeed, it was on 10 December 1948 that the United Nations General Assembly adopted the Universal Declaration of Human Rights. In Paris 71 years ago today, the leaders of

the world agreed to put human rights at the centre of global governance. That was an inspiring moment in history. That milestone document set out for the first time fundamental human rights that were to be universally protected. Article 1 of the declaration famously states:

“All human beings are born free and equal in dignity and rights.”

The declaration goes on to list a whole series of rights that are deemed to be “inalienable” human rights, including freedom of conscience, freedom of expression, equal protection under the law, the right of asylum from persecution, the right to education, the right to own property, the right to work and the right to life, of course. The prescience that was shown in the drafting of the declaration and the tenets that were set forth in it form the backdrop of all international discourse to this day.

However, as we all know too well, human rights infringements take place day and daily across the globe, including, of course, in the economically advantaged and developed countries of the west. That is an indictment of our world in the 21st century, and it requires as a response from all countries and all citizens a determination to be vigilant in defence of human rights at home and abroad.

That was the genesis of the 1998 UN declaration on human rights defenders, which was adopted on the eve of the 50th anniversary of the Universal Declaration of Human Rights. The UN declaration on human rights defenders reminded the world that the responsibility to protect human rights lies with all of us and that every person can and should be a human rights defender.

Sadly, although the declaration outlined the duties of states to protect human rights and to respect the work of human rights defenders, Amnesty International has reported that more than 3,500 such defenders have been killed since 1998. Aside from that being a human tragedy, that is truly a chilling statistic, and it reinforces the need to reaffirm support for human rights defenders and the need to engage in discussion about how to make the commitments of the 1998 declaration a reality.

In that regard, I, too, am very proud of the Scottish Government's response to the challenge in establishing the Scottish human rights defender fellowship last year. As we have heard, a three-month semester at the University of Dundee is involved. Successful candidates have the opportunity in a place of safety to carry on their important work, which would otherwise often be carried out at great personal risk. They can conduct research, develop new skills, build networks and, I hope, return to their countries

better equipped to carry on the fight. That is an excellent example of how Scotland can make a contribution and express our solidarity with human rights defenders in other countries.

Here at home, there are many examples of human rights defenders. I wish to mention one perhaps overlooked body of people, and I declare an interest in that I am a lawyer. The Law Society of Scotland rightly highlighted in its submission that many of its members are in fact human rights defenders because they deal daily with issues such as the incorporation of the UN Convention on the Rights of the Child into domestic law in Scotland. They also deal with issues such as indefinite detention under Westminster's ghastly immigration system and consolidation of hate crime legislation in Scotland.

On this day across the world, we see individuals being denied the right to freedom of conscience, freedom of expression, asylum from persecution, education and indeed life itself. It is the responsibility of each of us to protect human rights and to be a human rights defender. We must redouble our efforts in the year ahead to discharge that responsibility.

16:10

Bill Kidd (Glasgow Anniesland) (SNP): I am pleased to contribute to this debate, which reaffirms Scotland's commitment to human rights as we reach the end of our second year of the Scottish Government-sponsored fellowship for human rights defenders, as has been mentioned. We also recognise the 21st anniversary of the declaration on human rights defenders.

As has been said, the Scottish human rights defender fellowship, run by the University of Dundee in collaboration with Amnesty International and front-line defenders, has this year brought fellows Laura Miti and Konstantin Baranov to Scotland. I am sure that my colleagues across the chamber will join me in saying that we appreciate whole-heartedly their dedication to upholding human rights, as the cabinet secretary said earlier. Christina McKelvie was delighted that I said "cabinet secretary" there, but there we go—that is just one of those things. Progress is made when people like those two fellows have the courage and strength to stand up against powerful actors. They do so in the name of human rights and the pursuit of democracy.

It is clear why the topic of human rights defenders remains important and worth discussion in the Parliament. Amnesty International highlighted to MSPs that over the past seven years there have been more than 142 restrictive legal initiatives imposed on civil society in more than 72 countries. Even graver statistics show

that, since the declaration on human rights defenders was adopted in 1998, more than 3,500 human rights defenders have been killed. Although the declaration was not legally binding, that underlines how necessary it is for diplomacy to be used to effect change.

The continued affirmation of support for the Universal Declaration of Human Rights and the declaration on human rights defenders by democratic states is incredibly important. It shows what the expected standards of domestic behaviour are, which consequently can be upheld in negotiations and diplomatic efforts in bodies such as the UN or other international or regional political organisations. It is within that dynamic that we debate and reaffirm Scotland's commitment to human rights and its defenders.

I will also touch on how important human rights defenders are to the development of a flourishing civil society. Human rights defenders exist in spaces where human rights are under threat. Those courageous people continue to speak out about issues affecting society and marginalised groups. They highlight the compromise or complete disregard of human rights. It is in this space that civil society is built.

Article 25 of the Universal Declaration of Human Rights outlines societal issues that are faced by people across all countries. It refers to the right to "a standard of living adequate for the health and well-being" of an individual and their family,

"including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond"

his or her control. Article 25 contains issues that are frequently debated in the Parliament. For MSPs, civil society not only holds us to account but equips us with the information that we need to make better policies and choices for the people whom we represent.

As my speaking time draws to a close, I again highlight the incredible work of Laura Miti and Konstantin Baranov. I will end by quoting John Stuart Mill's inaugural address to the University of St Andrews in 1867. His words, which still ring true today, highlight the importance of having courageous human rights defenders across the world. He said:

"Bad men need nothing more to compass their ends, than that good men should look on and do nothing."

Well, we are not going to do nothing.

16:15

Mary Fee (West Scotland) (Lab): Enshrining and protecting human rights is one of the most

important duties of an elected politician. We are duty bound to stand up and speak out for people when it comes to human rights.

The work of parliamentarians would not be possible without the work of human rights defenders. Those are the individuals who put their own lives at risk in order to protect others and highlight human rights abuses to the wider public. It is vital that we recognise them and all that they do to protect human rights and give voice to issues that may not otherwise be heard. The strength and courage that these people show is admirable. Their commitment to their causes can help us to see where we need to focus our commitment as a society in Scotland and further afield. For those reasons, I support the Scottish Government in championing this Parliament as a defender of human rights.

Many human rights defenders in Scotland are children and young people. They proudly stand up for what they believe in and in order to change the debate nationally and globally. We need look only at the climate strike movement to know that children are playing a massive part in defending human rights across the world. The best way that we can offer support is by listening to them and taking their concerns seriously. They are the future. It is their future, and their understanding and thinking of human rights is often much more long term and sustainable than our own understanding and thinking.

In Scotland, we are fortunate to have various charities supporting care-experienced children, such as Who Cares? Scotland. Care-experienced children have been leading the way in advancing the discussion on children in the care system. Their voices are invaluable and we should support them as they progress their work.

I want to raise a couple of specific issues in the short time that I have available, neither of which will be a surprise to members in the chamber. Human rights are central to ensuring equality. Over the past 20 years, we have seen a political and societal change towards greater equality for the LGBT community. However, there are still challenges ahead, and I hope that we use the rest of this parliamentary session to tackle those challenges and allow the next Parliament to continue the work that still needs to be done.

Despite the advances for overall LGBT equality, the trans community finds itself in an environment that is increasingly hostile towards trans and non-binary people. We as parliamentarians should facilitate discussion. However, we should not tolerate inflammatory language designed to increase hostility. The political landscape should not be used to reinforce myths about the trans and non-binary community. I will always stand with trans rights defenders for the work that they do in

Scotland and across the world to protect a minority that is facing increasingly common attacks and discrimination.

Gypsy Travellers continue to be a disadvantaged group, despite the very welcome progress that is being made. That community often faces discrimination from the media, from communities across Scotland and, sadly, from some in political parties reinforcing negative stereotypes. Education, healthcare and housing are human rights. We must do all that we can to defend the rights of the Gypsy Traveller community in Scotland.

I could address a number of other issues, such as the on-going damaging potential of Brexit. However, with the time that I have left, I will raise a couple of small issues that are happening across the globe right now.

In Myanmar, little action has been taken against the persecution of the Rohingya Muslims, which some experts have said could be genocide. I welcome the action taken by The Gambia that was reported in the media today.

In China, up to 1.5 million Muslims are being held in so-called re-education camps—let us be in no doubt that those are modern-day concentration camps. Global leaders must stand up to that practice and protect the right to religious observance.

I stand with human rights organisations in condemning those human right violations and commit to continuing to be a human rights defender for all.

16:20

Joan McAlpine (South Scotland) (SNP): Although it has been 21 years since its adoption by the UN General Assembly in 1998, the UN declaration on human rights defenders remains relatively unknown in the public sphere. It is not a legally binding instrument, but it comprises a series of principles and rights that are based on the human rights standards that are enshrined in other legally binding international instruments, including the International Covenant on Civil and Political Rights.

An important part of the declaration's value derives from the fact that it represents a collective effort, across state and institutional boundaries, to better reiterate, strengthen and embed human rights norms across societies, by way of practical support for human rights defenders.

It is encouraging to note that an increasing number of states are considering adopting the declaration as binding national legislation. We welcome the establishment of the Scottish human rights defender fellowship, in partnership with the

University of Dundee, and all that will be done to protect those who are at risk as a result of their work protecting human rights around the world; it is a testament to the Scottish Government's commitment to a modern human rights culture that we do so.

Human rights defenders are defined in the declaration as people who, individually or with others, act to promote or protect human rights across the full range of civil, political, economic, social and cultural rights. The declaration is designed to help human rights defenders be supported and protected while carrying out their work—work that can be dangerous and marginalised in many contexts, as we have heard.

Part of the declaration's strength is that it speaks to all of us—not just to countries and human rights defenders. Its full title is the "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms", which reminds us that we all have a part to play.

Everyone who cares about strengthening and evolving human rights culture in Scotland is deeply concerned about the threat that Brexit poses. The European Union (Withdrawal) Act 2018 could allow the removal of the EU charter of fundamental rights from our domestic law, and the Scottish Government's opposition to that was brushed aside. If Brexit goes ahead, the human rights protections that British citizens currently enjoy will cease to exist, or will be watered down in significant ways across such areas of life as healthcare, social security and privacy.

I welcome the pre-emptive steps that the Scottish Government has taken to ensure that the national task force for human rights leadership considers the best way to enshrine the values of the EU charter of fundamental rights in Scots law. That action sends a strong message about where we stand.

The threat to Scotland's evolving human rights culture does not stop with the withdrawal act. Former Prime Minister Theresa May was unequivocal that she wanted the statute book on human rights to be torn up. She advocated the repeal of the Human Rights Act 1998 and an abandonment of the ECHR.

The ECHR, in contrast to the declaration on human rights defenders, is well-known in the public sphere. All decisions of public authorities in the UK must be ECHR compliant, and, since 2000, application of the convention has changed law and decision making for the better, in meaningful ways, for ordinary people.

The ECHR is a treaty between the member states of the Council of Europe, not the EU, but

that is not the point. Theresa May might be gone, but the threat to human rights in Scotland from the right wing of British politics is real. The ECHR is so involved in the fabric of civic society in this country that it is impossible to imagine having to unpick it due to future regressive action on human rights law, but such a nightmare scenario could happen. We are already too familiar with nightmare scenarios being inflicted on vulnerable people in Scotland and across the UK as a result of austerity and welfare reform policies in recent years.

Today's debate is an opportune moment, therefore, to remind ourselves of the state's duties, as laid out in the 1998 UN declaration, and to pledge to continue to support those principles and hold UK Governments to account on them. Those duties include the protection, promotion and implementation of all human rights, not just those which are politically expedient.

16:25

Maurice Corry (West Scotland) (Con): Human rights defenders across the world show a level of courage and commitment that deserves to be recognised and supported, and I whole-heartedly do so in this chamber on human rights day. No matter their age, gender or nationality, human rights defenders advocate for fundamental rights. Those individuals can promote anything from improved health standards and greater environmental awareness to children's rights, anti-discrimination measures and the protection of refugees and minorities, among many other concerns.

We witness the continuous activism of human rights defenders to tackle those concerns and we know that the commitment of human rights defenders, through the sensitive nature of their work and advocacy for the sake of others, often comes at an awful cost to themselves. Indeed, in many countries, those who seek to promote human rights face imprisonment, indefensible attacks and persecution. That trend seems only to be worsening. Increasingly, human rights defenders are subject to harassment, surveillance, enforced disappearance and censorship. That is especially the case in countries that lack an effective rule of law, or experience conflict or extensive state restrictions. Human rights organisations have even witnessed a rise in killings. Indeed, last year saw the highest recorded number of human rights defenders murdered. Of particular concern to me has been the targeted attacks against female campaigners. Facing the risk of harassment, smear campaigns and sexual assault, many of those women continue in their work so that they can make their causes as visible as possible, sparking an international push for solutions.

The protection of and commitment to human rights and those who actively defend them is of paramount importance. This is a shared responsibility that we all need to take on, across Parliaments, Governments and communities. Indeed, the UN declaration on human rights defenders states that every person has a responsibility and a duty to safeguard democracy and to not violate but protect the rights of others. Therefore, we need to actively encourage not just vocal support, but practical support for human rights defenders on the ground. I have seen that in my working life, when I worked in Bosnia and Afghanistan and took a great deal of time to see how people who defend the rights of minorities in those countries were harassed.

International groups, such as Front Line Defenders and ProtectDefenders.eu have led the way in this, offering grants and security measures to those worst affected. Their work makes the experiences of human rights defenders real and truly eye-opening. I welcome the strides in support of these human rights defenders here in Scotland. It is particularly pleasing to see the establishment of the Scottish human rights defender fellowship, and I commend the Government for it. The partnership between the Scottish Government and the University of Dundee promises to be an excellent opportunity for participants to spend a semester here in Scotland, sharing expertise with human rights organisations and building relationships. I wish the initiative well.

Furthermore, it is encouraging to see the commitments made by the UK Government. For instance, its paper “UK support for human rights defenders”, released this year, outlined its pledge to create strengthened global standards to protect such individuals, while also providing in-country practical and collaborative support when needed.

This year’s human rights day celebrates the contribution of young people to the human rights movement. Those young human rights defenders can drive the change that we all want to see in the future.

Every human rights defender is deserving of the very security and protection that they advocate on behalf of others. I strongly commend all they do, I welcome Scotland’s renewed commitment to their safety and I support the motion.

16:28

Fulton MacGregor (Coatbridge and Chryston) (SNP): It is an honour to speak in this afternoon’s debate in recognition of the 21st anniversary of the international day of human rights defenders. This SNP Government, as we have heard, has dedicated itself to making sure that our nation protects, respects and realises

internationally recognised human rights. We all know that we cannot protect human rights in a vacuum, and I welcome the Scottish Government’s commitment to demonstrating leadership, both at home and abroad. Scotland should aspire to be a champion of human rights in the global community, and this Government has sought to promote international human rights standards in a manner that has a practical impact.

As already mentioned, and as set out in the motion, the recent establishment of the Scottish human rights defender fellowship is but one example of how the Scottish Government has worked in partnership with other organisations to ensure that we are part of a modern, inclusive nation. We should all welcome and celebrate this initiative.

In her opening speech, the minister talked about children who are human rights defenders. During the equivalent debate last year, I mentioned a young person from my Coatbridge and Chryston constituency, Ryan McShane, who has been an active human rights defender, and there is no reason why I should not take this opportunity to mention him again, not least because I was chatting to him about this debate yesterday, during the First Minister’s visit to Coatbridge, and I think that he would be the first person to hold me to account if I did not mention some of the work that he has been doing, as I said that I would.

As the minister and some members know, Ryan McShane is a care-experienced young person who has been actively defending human rights and holding decision makers to account for some time, as he demonstrated last year when he addressed the First Minister and the Parliament. He has regularly and bravely spoken about the trauma of his experiences in the foster care system, which involved him having many different placements before he found a family that has provided lasting love, understanding and happiness.

I take the opportunity to pay tribute to Ryan’s foster carers and to all carers across the country, including kinship carers, who give children the chance to achieve their potential. Care-experienced young people have the right to have a family such as the one that Ryan has. That should be the norm and a fundamental right.

An issue that members have mentioned in detail—or just remarked on, given the four minutes that speakers have been allocated—is the imminent exit from the EU. It is important that we talk about EU exit, given the current climate, as it has the potential to adversely affect human rights in Scotland and the rest of the UK as long as it remains in the hands of this Tory Government.

Before a member on the Tory benches accuses me of fearmongering, I remind members that Michael Gove, during his tenure as Secretary of State for Justice, said that he wanted to limit the use of human rights laws to the most serious cases, and that his predecessor, Chris Grayling, is on record saying that he does not believe that the European Court of Human Rights

“makes this country a better place”.

On top of that, members should remember that the European Union (Withdrawal) Act 2018 prevents the Charter of Fundamental Rights of the European Union from remaining a part of domestic law.

Such an approach, combined with isolation from progressive developments at EU level, will corrode our existing protections and make it more difficult to implement EU-equivalent standards. The best way to prevent that is, of course, by remaining in the EU, but if that does not come to pass, Scotland must—as a minimum—retain both the charter of fundamental rights and the European convention on human rights. That is the best way to protect existing human rights laws.

The Scottish Government and the UK Government have hugely differing opinions on the importance of protecting human rights in this nation. The Scottish Government is taking the right approach and we must be vigilant about policies that seek to undermine human rights in any way.

I again thank human rights defenders across the world for the risks that they take. I reaffirm my support for the motion.

16:33

Ruth Maguire (Cunninghame South) (SNP): I share our Government's commitment to ensuring that Scotland is a modern and inclusive nation that protects, respects and realises internationally recognised human rights.

Yesterday, 9 December, was the international day of human rights defenders, and 2019 marks the 21st anniversary of the adoption by the UN's General Assembly of the UN declaration on human rights defenders.

People who defend human rights across the globe often do so at incredible risk to themselves and their families. Challenging brutality, oppression and injustice carries great risk, and holding powerful people to account, wherever a person is based and whatever power those people have over them, is never risk free.

I welcome the contribution that Scotland is making through the Scottish human rights defender fellowship, which supports people who are at risk through their work to protect human

rights around the world. It offers the folk who come here some rest and respite from the daily dangers and threats that are inherent in their work, as well as an opportunity to study, to train and to carry out research to support their human rights work, and an opportunity to connect with civil society organisations and Government officials here in Edinburgh and in London.

As a good global citizen, the Scottish Government is committed to securing democracy, the rule of law and human rights across the world. Scotland was one of the first countries in the world to endorse the United Nations' sustainable development goals, which are fully embedded in the national performance framework.

When I asked the Cabinet Secretary for Culture, Tourism and External Affairs about Spain's conviction for sedition of the Catalan leaders Jordi Sánchez and Jordi Cuixart, which has been deemed by Amnesty International to be in violation of human rights because legitimate acts of protest and the right to freedom of expression and peaceful assembly had, in effect, been criminalised by Spain, I was glad to receive the assurance that

“The Scottish Government will always seek to raise human rights with foreign Governments, including the Spanish Government, when opportunities arise.”—[*Official Report*, 20 November 2019; c 30.]

It is so important that Scotland uses its influence whenever possible, and that it acts as an example of best practice when it comes to protecting and enhancing human rights, here and globally.

We live in turbulent times, in a world in which many people's rights in many countries are under threat, so we in Scotland must stand in solidarity with those who seek freedom and justice through dialogue and democracy.

Here in Scotland, the Scottish Government demonstrates a commitment to human rights in policy making and delivery in a huge number of ways. On the final day of 16 days of activism, I would like not only to recognise the good work in the equally safe strategy, but to acknowledge the work that is still to be done to gain equality for women and girls. So far this year, 90 women have been murdered by their partners. Violence against women is a violation of women's fundamental human rights: the right to life, the right not to be tortured or treated in an inhuman and degrading way, and the right not to be discriminated against.

Here in our developed wealthy country, there are still far too many people whose human rights are not realised. I hope that we can have the courage of the human rights defenders whom we host in dealing with those injustices, and that we can be brave, honest and focused as we navigate the challenges of defending rights, particularly

where rights can be perceived to be competing. Let us resolve never to shy away from speaking our truth to power, or from listening openly and generously to those who speak theirs to us.

The Deputy Presiding Officer (Linda Fabiani): We move to the closing speeches.

16:37

David Stewart (Highlands and Islands) (Lab): As we have heard, human rights defenders are on the front line of conflict. In fighting against human rights abuses, they put their lives and safety at risk to protect the human rights of strangers. They refuse to walk on the other side of the road—they are modern-day good Samaritans. It is very apt that we are having this debate today, when the exhibition that is display outside the MSP block is on human rights breaches in Syria. It is a moving and harrowing exhibition, and I thank the all-party parliamentary group on Syria for bringing it to the Scottish Parliament.

As many members—including Fulton MacGregor, Ruth Maguire, Alexander Stewart, Rona Mackay, Joan McAlpine and Bill Kidd—have mentioned, although the UN brought in its declaration on human rights defenders in 1998, since then more than 3,500 human rights defenders have been killed. An average of 170 are murdered every year, with 300 having been killed in 2017. Some unscrupulous national authorities and rogue states are targeting human rights defenders and their organisations all the time in an effort to prevent them from carrying out their work. That includes imposing restrictions on funding, freezing assets, imposing travel bans, carrying out reprisals against defenders' families, and using surveillance and smear campaigns.

Although international relations are, by and large, a reserved matter, Scotland has taken clear steps to support human rights work. Mention has been made of the establishment of the Scottish human rights defender fellowship, which I and many other members strongly support. The fellowship offers support mechanisms, including through providing respite in a safe environment, enabling defenders to broaden their network and share research, and raising the visibility of the work that is carried out.

The German Bundestag has taken that approach one step further by adopting a model of patronage in which each parliamentarian has taken on one individual who is at a high level of risk. They advocate on the person's behalf and follow developments in their case. Support is also being provided to the families of those who have been imprisoned.

As I said last week—so, that is two weeks in a row—the minister set a positive tone in her

opening speech, and I strongly support that. It is vital that we consider the bigger picture.

As Elaine Smith said, the Labour Party has a proud history of promoting and defending human rights across the world. She mentioned the campaign against the two-child cap in universal credit, which is clearly against the human rights of women in this country, and we continue to campaign for the right to food to be enshrined in Scots law. On the international stage, the UK Government under Labour intervened in the Balkans, and was widely credited with avoiding widespread genocide and human rights abuses.

The bigger picture is that we need to reform the international rules-based order so that we secure justice and accountability in order to avoid breaches of human rights such as the bombing of hospitals in Syria. It is unbelievable that we are still having to fight against so many flagrant breaches of human rights across the world in 2019, but fight on we must.

As Martin Luther King said in an open letter in 1963,

“Injustice anywhere is a threat to justice everywhere.”

16:41

Oliver Mundell (Dumfriesshire) (Con): This has largely been an enjoyable and interesting debate, which has built consensus across the chamber. There have been points when we have strayed from that, which is always a challenge when we discuss such issues. Ruth Maguire captured that point perfectly in her speech when she said that we must be prepared to speak out ourselves when we have concerns, but must also listen to the concerns of others.

There is always a danger, when we discuss human rights, that we take the view that we know best what those rights are, that our views are right, that our opinions are the ones that matter and that we are somehow better than other people.

We all face challenges—within our parties, in our personal approaches to things in life, as a nation in Scotland, as a United Kingdom and as a global community. We all have things that we must face up to on which we do not quite hit the mark. It is always hard, because there is always an urge and a requirement to challenge things that are going wrong, while accepting with humility that we do not always get it right.

John Finnie: The member makes a very valid point. Does he agree that some of the best people to provide criticism are our friends?

Oliver Mundell: That is a very important point, and I absolutely accept that. Sometimes, when it comes to difficult matters, it is easier to listen to

people with whom we have an existing relationship and whom we trust. They can help to break down barriers.

We have heard lots of issues being mentioned by members across the chamber today, from the plight of Gypsy Travellers here in Scotland to issues that face women. When we all look within the groups and circles that we associate with, and when we consider the work that we do as MSPs, we see that it is contact with individuals and building of long-term relationships that help to break down our prejudices. That makes me more determined to stand up for things.

In relation to points that have been raised on Brexit, I say gently that although there are legitimate political differences, and although I know that people have fears going into the future, I am confident that here in Scotland and across the United Kingdom we will continue to stand up for human rights. We will continue our proud tradition. Although it is tempting to make a great deal of it, it is important to remember that the decision to leave the EU, although we might not like it, came about as a result of a series of what I think were free and fair elections and a serious referendum. We might not be happy with the result, but it is a push to compare it to challenges that have arisen elsewhere. However, I am listening to what other people have to say today.

I think that the same can be true of a number of things. I gently say to Elaine Smith that the Labour Party has had challenges in relation to human rights quite recently. However, that does not take anything away from the points that members have raised about previous Conservative policies.

However, I speak very firmly for the Scottish Conservatives today, as I have done in the chamber in the past, when I say that our point of view and our policy direction are that we are very keen that the Human Rights Act 1998 be retained. I have said it numerous times, and it is a point that I make consistently as a member of the Equalities and Human Rights Committee of the Scottish Parliament.

We have heard a number of excellent examples of human rights experiences from around the world, from as far afield as Colombia and Egypt. Scotland plays a big role in promoting human rights through offering fellowships and taking other actions. We can provide refuge and we can help people to become more resilient and to take forward their own cases in order to promote their human dignity. The fact that we continue to have challenges in our own country does not stop us from making a positive contribution to the world.

I highlight the speech by my colleague Maurice Corry, who gave a very practical example of what we in the UK can do. We might not always agree

on the actions that the UK armed forces take, but when we look at what we did in Bosnia and the Balkans, we can see the positive role that many people from across our United Kingdom played in bringing peace and improved conditions to people who live there. Whatever our constitutional and political differences, it would be widely accepted that the Foreign and Commonwealth Office and the Department for International Development have played very important roles in raising living standards and promoting rights for many people all around the world.

I return to a point that John Finnie made, which was, for me, the most important point today. It followed, in part, what Annabelle Ewing said about lawyers. Sometimes lawyers get bad press, and sometimes we see human rights as being too legalistic and as being bogged down in that. However, ultimately, lawyers, parliamentarians and all those who are involved in performing tasks on behalf of the state have to live up to human rights standards. As John Finnie said, there has to be recognition that if human rights legislation that is enacted is not enforced, ultimately it means nothing. I close on that point and thank members for giving me much to think about.

The Deputy Presiding Officer: I call Christina McKelvie to wind up the debate. Around 9 minutes will take us to a couple of minutes before 5 o'clock; that should be useful.

16:48

Christina McKelvie: I thank all members for their incredibly thoughtful contributions and for demonstrating a clearly held belief in and a shared commitment to human rights. We have had poetry and we have had quotes; sometimes other people's words can articulate better than we can what we feel in our hearts. That commitment is absolutely integral to the principles on which this Parliament was founded and which are our mace.

As John Finnie and many other members have said, we reaffirm our support. It is important always to reaffirm and raise the profile of human rights and human rights defenders. The principles of this Parliament emerged from a long history of civil society activism and political campaigning in Scotland. We have united, diverse and wide-ranging views and opinions around a core set of shared values, and a commitment that it really matters that we do the best that we can for all the people of Scotland.

I would echo Elaine Smith's call for people to contribute to the SNAP 2 consultation. It is a worthwhile thing to do, and I am sure that everybody's comments will be gratefully received.

It is particularly fitting that we should mark human rights day 2019 by celebrating the universal shared values represented by the wider international human rights framework. It is also appropriate that we do so with a particular focus on the critical role played by human rights defenders in speaking up for those values daily and in a global context. Everybody who spoke in today's debate reaffirmed their support for human rights defenders, and we should all continue to do so.

In my opening remarks, I spoke about the Scottish human rights defender fellowship. I could not be prouder of it as an action that this Government has taken. It is just one way that we in Scotland are taking practical action to express solidarity with, and to demonstrate support for, human rights defenders.

Dave Stewart informed us about the work that is going on in the Bundestag. He should be reassured that I am keeping a close eye on all of that as something that perhaps could, one day, be an extension to the work that we do as peer supporters in human rights defenders work.

Both Maurice Corry and Alexander Stewart said that we all need to stand up for human rights, and they are absolutely correct, especially when it comes to decisions that we all have to take. In the spirit of friendship and solidarity, I ask them to please have a wee word with their pals at Westminster about a particular action in their manifesto around Gypsy Travellers. It is not good, and I hope that they will take that piece of work forward and stand up against what I see as—basically—a commitment to wipe out the traditional travelling lifestyle of Gypsy Travellers. I draw their attention to that in a spirit of friendship and solidarity.

I also draw attention to the vital role that is played by civil society partners—such as Amnesty International, Front Line Defenders and SCIAF—in supporting the courageous and inspirational individuals and communities who stand up for human rights around the world. I join Annabelle Ewing and Oliver Mundell in adding the Law Society of Scotland to that list of supporters. Indeed, we have a fantastic human rights defender from the Law Society of Scotland on our Scottish Government task force—we are delighted to have her with us.

Last week, I met again our two 2019 fellows and our key partner organisations to thank them for taking part in the work that we are doing. I know that, as Laura and Konstantin prepare to return home, they do so re-energised and further empowered, and with the knowledge that we in Scotland applaud and support the work that they do. My larger hope for the fellowship is that, through the participation of human rights

defenders of their calibre and ability, we can all learn how to better live up to our common obligation to put action to respect, protect and fulfil human rights at the heart of our everyday lives. An aim of the fellowship is that Scotland should be a place of sanctuary, where opportunities can be created to advance peace, as John Finnie talked about. I hope that fellows in our Scottish Government programme take heart from the knowledge that we are all part of a global effort to defend human rights, for all members of our human society.

The struggle to prevent human rights abuses, to give a voice to marginalised people and to continue to advocate and campaign for a world that is founded on democracy, human rights and the rule of law is—as we heard today—a shared endeavour. I recall what an Egyptian human rights defender who was visiting Scotland said a few years ago, in the context of UK Government threats to repeal the Human Rights Act 1988, which we heard a lot about today. He was asked how we in Scotland can best support human rights activists in other countries. His answer was that the most important action that we can take to promote human rights around the world is to defend them right at home. That is a key element of the work that we do.

Rona Mackay raised the individual work that she does locally at home, in her local community, through write for rights and with young people. That is just one of the many ways that we can all take part. I reassure Elaine Smith that, in the human rights work that we do at home, we are committed to a good food nation bill. She should hopefully hear something about that very soon.

That was wise counsel from the Egyptian human rights activist, and it is advice that we should all take to heart. In Scotland, we welcome scrutiny of our record on human rights. I hear what Elaine Smith says about the work that we still have to do around violence against women and gender equality. I hear the same calls from Ruth Maguire, who spoke about the 16 days campaign.

I reassure both of them with a piece of on-going work, which was a recommendation of last year's national advisory council on women and girls. The First Minister has confirmed proposals for a what works? gender institute to identify and promote best practice, and that the Scottish Government will become a lead partner in a gender beacon collaborative to promote gender equality across public life. We have on-going work that is incredibly important.

However, we will not shrink from the duty, which is incumbent on all members of the community of nations, to hold others to account for their actions in the implementation of common international obligations. Active participation in international

processes, including the scrutiny that is exercised by committees and other institutions of the UN and the Council of Europe, is a fundamental part of our human rights commitment.

Fulton MacGregor and Joan McAlpine rightly raised very real concerns about the loss of our ECHR rights due to the current UK Government's obsession with Brexit. Our willingness to speak out in support of those who stand up for human rights in an individual capacity, in defence of vulnerable and marginalised people, is absolutely fundamental.

John Finnie raised the issues of trafficking and domestic violence, and he will know that we have some of the most world-leading legislation on that, but we should never be complacent and think that that work is done. It is still a work in progress. The starting point is, self-evidently, the action that we take in Scotland to make human rights real for every member of society. Our refreshed national performance framework contains explicit national human rights outcomes, and seven of the 11 national outcomes are linked to the international framework.

We acknowledge that there is more to be done, and as a Government we are guided by human rights as the foundation for everything that we do. I reassure Mary Fee that, in Scotland, when it comes to LGBT rights, we are advancing our proud record. We want to modernise the process for obtaining legal gender recognition, so that it is in line with international best practice in other countries, and the Government intends to consult later this month on a draft bill.

When it comes to children—oh my goodness—are they not an inspiration? We just need to think about some of the young people that we work with. Annie Wells raised the goal of the work of the Children's Parliament and the children's human rights defenders. Mary Fee eloquently spoke about our activist children and how they inspire us every day. This year marks the 30th anniversary of the adoption of the UN Convention on the Rights of the Child. Human rights day reminds us that we have a duty to deliver human rights, not just for us as adults but for children. I need only mention Malala Yousafzai or Greta Thunberg to illustrate how young voices are driving the debate on global issues. Fulton MacGregor's inspirational constituent Ryan McShane has worked tirelessly to advance and bring about a human rights change for care-experienced young people. We have such an active community of children; it is absolutely inspirational to hear about the work that they do.

Another reason why I am very proud today is that members of the Scottish Youth Parliament had the opportunity to meet Konstantin and Laura last week. Not only were they very inspiring; they

were very inspired by our own human rights defenders.

If we are truly to commit to the vision of a world where human rights are made real for every member of society, we must ensure that the voices of children and young people are at the heart of every stage of that.

Ruth Maguire reminded us that holding powerful people to account can be a dangerous business. As a Government, as a Parliament and as a nation we should challenge ourselves to live up to the vision of a world founded on human rights values. Bill Kidd reminded us of the power of good diplomatic relations, and Ruth Maguire highlighted some of the issues faced by people in Catalonia.

I believe that we in Scotland have a clear vision of the country that we want to be. That vision is articulated in the Universal Declaration of Human Rights and firmly rooted in the international human rights framework that gives it effect. That is why the work of the task force, as discussed by Rona Mackay, will be absolutely pivotal.

I turn to John Finnie's intervention on Oliver Mundell's speech, in which he said that sometimes the best advice that we can take comes from our friends. In that spirit of friendship, I invite every member here to take a stand as a human rights defender and to support the practical steps that we need to take to overcome our own barriers and make our own vision a reality—not just for Scotland, but for a wider global future in which every member of humanity can live, secure in the knowledge that we are truly born free and equal in dignity and respect.

Code of Conduct for Members of the Scottish Parliament

The Presiding Officer (Ken Macintosh): The next item of business is a Standards, Procedures and Public Appointments Committee debate on motion S5M-20144, in the name of Bill Kidd, on changes to the code of conduct for members.

16:59

Bill Kidd (Glasgow Anniesland) (SNP): The report and the proposals contained in it to revise the code of conduct for MSPs represent a significant step towards concluding the considerable work that has been undertaken in the Parliament to address sexual harassment and sexist behaviour.

The proposed changes to the code of conduct, as well as the associated changes that will be made to the guidance on the code and to the role of the Commissioner for Ethical Standards in Public Life in Scotland, will implement the recommendations of the joint working group on sexual harassment.

The Standards, Procedures and Public Appointments Committee is of the view that members, as elected representatives, should be held to high standards of conduct under the code. Therefore, the proposed changes make it clear that members must not behave in a manner that involves bullying, harassment—including sexual harassment—or any other inappropriate behaviour. In addition, the proposed changes will ensure that MSPs, parliamentary staff and the staff of MSPs will all have the same opportunity to make a complaint directly to the commissioner for ethical standards.

The proposed changes seek to strengthen the requirements for MSPs to ensure that their staff are fully aware of, understand and abide by the policies, rules, requirements and behavioural standards that apply to the conduct of staff when they are carrying out their duties. In addition, the proposed changes will protect the identity of an individual who is the subject of a complaint about an MSP's behaviour.

With the cross-party support of the SPPA Committee, I move the motion.

I move,

That the Parliament agrees to amend the Code of Conduct for Members of the Scottish Parliament by making the revisions set out in Annex A of the Standards, Procedures and Public Appointments Committee's 16th report 2019 (Session 5), *Code of Conduct for MSPs - proposed revisions to implement the recommendations contained in the Joint Working Group's Report on Sexual Harassment and Sexist Behaviour* (SP Paper 637) with effect from 7 January 2020.

Decision Time

17:02

The Presiding Officer (Ken Macintosh): The first question is, that motion S5M-20192, in the name of Christina McKelvie, on reaffirming Scotland's support for human rights defenders, be agreed to.

Motion agreed to,

That the Parliament notes that the International Day of Human Rights Defenders is celebrated each year on 9 December and that 2019 marks 21 years since the adoption by the UN General Assembly of the UN Declaration on Human Rights Defenders; appreciates the vital work that human rights defenders undertake around the world, often at considerable risk to themselves, their families and their communities; reaffirms its own support for, and commitment to, the work of human rights defenders in all states and nations, in keeping with the principles of the UN Declaration and in recognition of the critically important role of human rights defenders in working to eliminate all violations and abuses of human rights and fundamental freedoms, and commends and pays tribute to the contribution made by the participants in the Scottish Human Rights Defender Fellowship.

The Presiding Officer: The next question is, that motion S5M-20144, in the name of Bill Kidd, on the code of conduct for members, be agreed to.

Motion agreed to,

That the Parliament agrees to amend the Code of Conduct for Members of the Scottish Parliament by making the revisions set out in Annex A of the Standards, Procedures and Public Appointments Committee's 16th report 2019 (Session 5), *Code of Conduct for MSPs - proposed revisions to implement the recommendations contained in the Joint Working Group's Report on Sexual Harassment and Sexist Behaviour* (SP Paper 637) with effect from 7 January 2020.

Miscarriage

The Deputy Presiding Officer (Christine Grahame): The final item of business is a members' business debate on motion S5M-17959, in the name of James Dornan, on easing the burden and pain of miscarriage. The debate will be concluded without any question being put.

Motion debated,

That the Parliament acknowledges that experiencing a miscarriage is an extremely traumatic and serious event; understands that many women in Scotland, including in the Glasgow Cathcart constituency, feel that this is often not recognised by health professionals, family members and friends; believes that people's perceptions of a miscarriage need to change so that women do not need to feel that they must "carry on as normal" and that many couples need time to grieve, and notes the view that the Parliament can help lead change by looking at ways to ease the burden of people who experience a miscarriage at any stage in pregnancy in a way that gives couples time to grieve together and helps to remove the taboo of talking about miscarriage.

17:04

James Dornan (Glasgow Cathcart) (SNP): I thank the 21 MSPs who supported my motion, which allowed me to secure today's very important debate.

In May this year, I attended a meeting of the Miscarriage Association at the Victoria hospital in my constituency, and I am privileged to welcome a number of its members to the chamber today. Their devastating loss moved me to bring the subject to the Parliament, and I am grateful for the opportunity to do so this evening.

Nothing as a parent makes us prouder than seeing our child grow, develop as a person and form their own family. I am the dad to two sons and the granddad to two grandchildren, and the meeting reminded me of the pain that is experienced in losing a baby—even 45 years later—and yet, as a dad, I cannot even contemplate the pain that their mother must have gone through.

I am sure that in this debate we will hear brave personal and painful accounts of baby loss, and although it will be difficult, it will help us to start much-needed conversations.

A miscarriage is the most common type of pregnancy loss, affecting around one pregnancy in four. Most miscarriages happen in the first three months of pregnancy, but they can happen up to the 24th week. From the 24th week onwards, pregnancy loss is known as stillbirth.

I mentioned that we are joined by local members of the Miscarriage Association. Like others, they offer a wide range of advice services

through local support groups, helplines, online support and leaflets. They are always there to assist couples through what is undoubtedly the most difficult time in a couple's life. They also provide research, such as the Alife 2 trial, which examines the effects of blood thinning treatments in reducing the risk of miscarrying. The PROMISE trial highlights how progesterone in the first trimester of pregnancy does not improve the chances of a successful pregnancy term where there is a history of miscarriage. One further trial is the TABLET trial, which investigates the role that thyroid antibodies play in unexplained miscarriages. There are many more examples, and I strongly encourage members to contact their local Miscarriage Association group for more detail.

When I met the local support group, there were a total of 37 miscarriage bereavements represented at the meeting, affecting a combination of eight woman and two men. If we reflect on that for a moment, we realise that that means that there were more than three dozen bereavements between 10 people. The group recognised the lack of support for men and how they have limited opportunities to deal with their feelings, as they are expected to be the strong ones in situations such as these. It discussed the impact on mental health, and how its members had to discover the resources and information on mental health support services themselves. Consider the desperation that the group members feel at their losses—and recurrent losses—and how miscarriage affects a person, from their ability to carry out simple domestic tasks to their ability to maintain relationships with friends, family and, of course, partners.

Miscarriages can lead to feelings of despair and desperation to continue to try to have a successful pregnancy. Of course, there are cases where some women self-medicate. That can place a strain on relationships, whereby partners worry about the risks that women are taking with their health, and possibly their lives, while the women are just trying to get through their loss in whatever way they can and hopefully get that much-wanted pregnancy.

One woman later told me that she recognised that her ability to think rationally was impaired, but she was willing to take the risk if it meant falling pregnant. Another woman later shared stories of her traumatic visits to the early pregnancy unit after suffering a miscarriage. At each visit, the couple were in the waiting room, which is right beside where families come out after seeing their scans. As one can imagine, the couples coming out are elated, holding their scan pictures and discussing their baby and future plans. Just think for a moment how incredibly difficult it must be for couples going through the pain of bereavement to

have to listen to excited parents-to-be while trying to conceal the pain and hurt that they are feeling.

So far, I have considered the pain, the trauma and the effects on couples' mental health that a miscarriage can have. However, there are two further points I wish to raise. Stella Creasy, who was the MP for Walthamstow before the Westminster Parliament dissolved, spoke about how she felt that she had no option but to carry on working through two miscarriages. "The One Show" presenter Alex Jones spoke in an interview on how she was back on set an hour after a missed miscarriage—a missed miscarriage being where the baby dies, but the physical miscarriage does not start straight away. It is a sad indictment of our society that so many women feel pressured to carry on regardless.

How many members have had a conversation with a woman they know, or their partner, who has suffered a miscarriage and been told that that woman cannot make the meeting, go to work or attend the parents evening because they are miscarrying? I would guess that not many have. Disclosure is difficult—sometimes exceptionally difficult—in the workplace.

However, New Zealand offers hope. New Zealanders are already entitled to leave after the death of family members or children, but there are now proposals to introduce three days of paid bereavement leave for women and their partners after a miscarriage or a stillbirth. I welcome that move, as anything that we can do to try to remove the stigma and taboo around miscarriage should be explored.

Elaine Smith (Central Scotland) (Lab): I apologise for not being able to stay for the whole debate. Has James Dornan come across any issues concerning the burial of babies following miscarriage?

James Dornan: There are a number of issues around what happens after a miscarriage has occurred and I would expect the issue to which Elaine Smith referred to be one of the major ones for parents who have lost a child in that way.

Countless women suffer in silence, as they do not let their families or friends know about a pregnancy until 12 weeks have passed—the implication is that if they miscarry, it is something that is often best kept to themselves.

The pain and trauma of a miscarriage run deep, and the trauma is not short term. On top of the excellent services that the Miscarriage Association and others provide, there is more action that Government, the national health service and society can take. Our mental health services can support parents and remove the feeling that they need to carry on after a miscarriage, regardless of the pain that they feel. Even providing couples

with easily accessible information and support would be a huge step forward.

The NHS should consider looking at how it can reconfigure its services so that expectant parents are not in the same clinic at the same time as those who are undergoing the pain of having lost a child. The NHS could expand research into new drugs and procedures so that women do not turn to self-medication and risk their health and future fertility by taking foreign drugs. Finally, we need to open up as a society. It is, and must be seen as, acceptable for couples suffering a miscarriage bereavement to talk about it and share their pain. I call on the new Westminster Government, whoever it might be, to change employment law to meet the New Zealand proposals, where bereavement leave is granted at the loss of a child or children through miscarriage or stillbirth. People might have just got on with it in the past, but surely we should not just be reliving the past but creating a better future. That is the way to help the so many unfortunate people who have lost a child due to miscarriage.

17:11

Kenneth Gibson (Cunninghame North) (SNP): I congratulate my colleague James Dornan on bringing this debate to the chamber and I send my warmest sympathy to those who have experienced miscarriage and have come to listen to the debate.

Miscarriage is something that stays with both a mother and a father for the rest of their lives, and when it happens, parents need to be able to grieve together for their child. I am sure that many members in the chamber have gone through that appalling experience. Grieving is not an easy process, but it is a necessary one and acceptance is key. It is difficult to accept that miscarriage has happened if there is no explanation as to why the mother was unable to carry her baby to full term. Questions such as whether the miscarriage could have been prevented and whether it will happen again and a million others race through parents' minds.

Members might or might not have seen a petition that was started in October by a couple from North Ayrshire who had just suffered their 12th pregnancy loss in three years. They say that, although NHS Ayrshire and Arran staff have always been helpful and understanding, they have been unable to investigate why the pregnancy loss keeps happening or to help them with how to deal with it afterwards and that that would have to be done via a private clinic, the cost of which can be prohibitive—it certainly would be for that couple.

Although nothing can turn back time, more research into the causes of miscarriage can help

parents with their grief and managing expectations. Further, the more we know, the more we can perhaps do to prevent miscarriages from happening. Only two weeks ago, an extensive annual report was published on births that zooms in on factors such as maternal age, smoking habits, method of delivery, birth weight and so on. Having large data samples is crucial for looking at trends and establishing correlations. However, when it comes to recording miscarriages, it is almost impossible to paint a picture that accurately reflects what is going on. The Information Services Division collects data on NHS Scotland services, but it made the decision in 2017 to stop publishing data on miscarriage, stating:

“The data is incomplete and therefore of low clinical value. Accurate assessment of the number of miscarriages that occur is not possible from hospital based data as only miscarriages that require hospital inpatient or daycase treatment are recorded. It is possible that some, particularly early, miscarriages are either managed solely by General Practitioners or may not be recognised by the women, who as such are never referred to hospital. Requests for specific information on this topic will continue to be provided through ISD’s information request service.”

So, there we have it. In essence, data would not include an unknown but potentially very large group of women who were treated in outpatient settings or by their GP, or who did not seek any medical intervention, including those who do not know that they suffered a miscarriage. If, for example, ISD updated that table and saw a decline in recent years, it could not say that that was a true decline in the number of miscarriages. Given that we know that underreporting is a huge issue for miscarriage, it is almost impossible to interpret the numbers with any great degree of reliability and it is therefore not possible to make assumptions about trends. Having such metadata could have been hugely helpful if it accurately reflected trends, but miscarriage is such a personal issue that it is important to learn as much as possible from each woman’s miscarriage.

When individual circumstances are the only source of information to rely on, it is all the more important that access is provided to such information.

Perhaps this issue can be tied in to criteria that are similar to that which Scotland has for the provision of in vitro fertilisation treatment on the NHS, which is the most progressive in the United Kingdom. That may require additional funding for maternity services across Scotland. I hope that, working with NHS Scotland and charities such as the Stillbirth and Neonatal Death Society—SANDS—and Cruse Bereavement Care, steps can be taken to help families to better understand what has happened and their chances.

As a society, we need to do more to ensure that people who have miscarriages are understood by their employers, friends, neighbours and wider family. Miscarriage may be difficult to understand, so what James Dornan is trying to bring forward is essential and will be warmly welcomed by many people across Scotland. I thank him for the debate; I hope that a lot of people are listening. I think that a lot of people will appreciate his work in this area.

17:16

Michelle Ballantyne (South Scotland) (Con): Miscarriage is an intensely personal experience. There is no right or wrong about how to feel or behave. It is an experience that many women and their partners will go through, and the ability to talk openly about their loss and the feelings that they are experiencing can make a huge difference. Often, that need comes after the loss, when the shock and sorrow start to pass and grief, anger and fear set in. Or it may come later, at the date when the baby would have been due.

The advice that is often given—not to tell anybody about being pregnant until the first 12 weeks are past—may seem sensible, because more than 80 per cent of miscarriages occur during those early weeks. However, that wondrous first trimester, when you feel physically terrible but are filled with bubbling excitement, changes your life. Suddenly you are dreaming and planning what the new little person will be like and cannot resist buying that little pair of booties or cute bib.

When your joy and hope slips away one day, does the wisdom of not telling anyone lessen the disappointment and empty feelings? Does it stop the awkward looks and pitying glances? It may do so for some, but most of all, it means that you have no one with whom to share the grief, worry and fears.

I was just five weeks pregnant the first time that I miscarried. We had not told anyone, so I carried on as normal with the daily routine of work and family, pushing my sadness aside. These things happen, I told myself. As a nurse, I knew that around one in eight pregnancies end in miscarriage, so I told myself that it was normal.

When I fell pregnant again, I did not worry, but when I sensed that something was wrong, I was past the all-important 12 weeks and we had started to tell people. I was immediately referred for an emergency scan but, despite thinking that I was prepared for what was coming, the silence that pervaded the air, the absence of a heartbeat, still came as a shock. I felt my emotions drain away. I became numb and robotic.

The admission to hospital for surgery was immediate. I just wanted to be immersed in the

cold professionalism of a routine surgery. I did not want the medical staff to explain the surgery or talk about it to me, because I did not want to feel the pain that I knew was just beneath the surface. The staff were supportive and, much as I did when I was the carer, they avoided unhelpful platitudes such as, “You are still young and you can try again”. I think that I was given a leaflet, but I just wanted to go home.

Two days later, pale and shaky at the school gates, a kind word of concern from another mother, who had seen me in the hospital when visiting her mother, opened the floodgates to shared stories of loss. It seemed that we had all kept our experiences and grief to ourselves and suddenly we were sharing. It was cathartic and we laughed and cried together. When I returned to work a few days later, it was easier to tell people that I had miscarried and to receive their well-meant concern.

I became one in 100 women when I had a third miscarriage, but, despite that, I also became one of the 85 per cent of women who go on to have a healthy baby following miscarriage. I hope that the work for parents who experience miscarriage by organisations such as Tommy’s charity, the Miscarriage Association and of course our NHS has improved access to information, support and understanding, whether through counselling or online information. Importantly, there has been a recognition that the provision of a certificate for a pregnancy that ends before 24 weeks without a living child can be a comfort to parents who want documentation to acknowledge the loss of their child. It is now recommended that all NHS trusts offer that option for parents.

I hope that miscarriage will become, like many other areas of life and death, less of a taboo subject so that we all feel able to support those who struggle with what can be a very distressing experience.

Usually, I would probably have talked about the facts, the research and the medicine, but today, given the subject of the debate, I felt that I had to share some of my personal experience in the hope that other people will do the same.

17:20

Monica Lennon (Central Scotland) (Lab): I thank James Dornan for bringing this very important topic to the chamber for debate and discussion. I thank members who have shared their own experiences, especially Michelle Ballantyne. I know that that cannot be easy to do.

The motion rightly mentions taboo, and the fact that discussions about miscarriage are still very difficult to have, partly because of the pain and trauma that individuals experience. It is a topic that

we have not to talk about. Women are told to keep things quiet and to themselves. I hope that, as a result of having this discussion, we as a Parliament can start to help to change that. It is great that James Dornan has taken a very close interest in the subject as part of his constituency work, and I hope that his guests from the local Miscarriage Association feel that this is a valuable debate.

As the motion rightly says, the pain and trauma of miscarriage and baby loss can be truly devastating for women and their partners, couples and families. It is still really difficult to talk about miscarriage—I have not experienced it personally, so I feel slightly hesitant about talking about it. If we do not have direct experience of something, we do not want to say the wrong thing. I am therefore very grateful to people who have been very brave in revealing their own experiences.

Before the debate, I read about a friend of mine, Sarah Owen, who is the GMB’s political officer. I declare that I am a member of that trade union. Sarah has written and spoken about her experience of not just one, but two miscarriages. The first happened while she was at work. She makes the point that most women will miscarry in public and that she is very fortunate to work for a trade union and in a supportive environment. She is concerned about women who do not have that support and are in insecure work or women who work in a sexist organisation and do not know what their rights at work are. Sarah lost twins in her second miscarriage. Before Elaine Smith had to leave the chamber, she made a point about burial or cremation. Sarah talks very movingly about her experience of cremation. I know that James Dornan has previously asked the minister questions about the national bereavement care pathway. It would be good to get an update on that.

To stick with politics, it was very moving when Councillor Rhiannon Spear of Glasgow City Council opened up about her experience of miscarriage. As we often do in 2019, we talk about such things through social media. It was very moving that Nicola Sturgeon reached out to Rhiannon on Twitter and basically said to her, “I know how you’re feeling right now.” The First Minister has, of course, been open about her experience. Such conversations help others, who are perhaps unsure, to find the right words and the right way to express themselves.

It is very important to think about the impacts on dads, too—other members have touched on that—but I am also mindful of women who do not have a partner and have to experience miscarriage alone. That must be incredibly difficult.

I know that I am running out of time, so I will pick up on the point in James Dornan’s motion

about difficulties not always being fully recognised by health professionals. The minister has yet to respond but, if we can take anything away from the debate, it is that we must ensure that everyone who works across the NHS is equipped to support women and families in such difficult times and that we can work together to tackle the taboo and to remove some of the stigma. We must be compassionate and human and not ask people very personal questions about their intention to have children and start a family and why they are not drinking and so on. Do not be nosy, but if someone is having a hard time, reach out and be supportive.

17:24

Fulton MacGregor (Coatbridge and Chryston) (SNP): As others have done, I thank James Dornan for bringing what is a very important issue to the chamber. As Monica Lennon did, I thank Michelle Ballantyne for her powerful personal contribution.

I have not prepared anything as such, so forgive me if my presentation is slightly rougher than usual, Presiding Officer. There are two reasons why I put my name down to speak in the debate. A bit like Michelle Ballantyne, I want to reflect my experiences of miscarriage, from a dad's point of view. I also want to speak about a fantastic local organisation, Baby Loss Retreat, which I have supported since becoming its constituency MSP.

As others have said, there is a real taboo around miscarriage. I can clearly remember when it happened to my partner and me, because it happened during our election campaign—or my election campaign, I should say, although the experience made it feel like it was our election campaign. It was one of those things that happened that we did not tell anybody about. We just had to get on with it because there was an election campaign going on.

Unlike other people who were in that position, I had what I suppose could be called the honour of being able to say something when I was successfully elected. As part of my acceptance speech, as well as thanking everybody who had helped me in the campaign, I made a reference to what had happened, but it was very obscure. Thinking about what others have said in the debate about that, I wonder why that was the case. Why was that reference so obscure? Why was I not more open? Family and friends who were there said to me after, "What did you mean by that? What were you referring to 'wee stars' for? What did you mean?" That is when I was able to talk about it. I said that I did not want to talk about it during the campaign—stuff like that. Conversations I have had since then, and this debate, have had me thinking about whether that

was the right approach. The issue of it being a taboo subject is very real.

I put on record my thanks to my partner, Lynsay, who clearly took the brunt of that during the election campaign, when we decided not to talk about it. Thankfully, it was a successful election campaign—and we went on to have a second child. There are definite lessons there. I thank Elaine Smith—it is a pity that she has left the chamber but I am sure that Monica Lennon will pass on my remarks—because she was my rival candidate in Coatbridge and Chryston, and she ran a good and fair campaign. That is what we should all think about. There may be lessons there for everybody in politics, the press and other places—we do not know what people are experiencing when they are standing for office. It is a worthwhile lesson for us all.

I said that I wanted to talk about the charity Baby Loss Retreat, which was founded a few years ago by Bryan and Julie Morrison from Coatbridge. They sought my support not long after I was elected and I have been happy to support them since. They are a couple who now go around the country, mainly in the Lanarkshire and central Scotland area, talking about their experiences of baby loss and how it has helped to motivate them to help others.

The specific purpose of Bryan and Julie's charity is to offer a break to couples who have experienced a child bereavement or miscarriage, as they feel that there is a gap in service in that regard. However, it is in their nature also to offer a counselling service and to campaign on issues such as the registration of deaths that occur before 24 weeks of pregnancy. I have written to the minister on that issue on behalf of Baby Loss Retreat, and I know that work is going on in that area. Bryan and Julie are clear that it is about making choices available and not about making registration mandatory, because some parents will not want that and some will. They also work and campaign on the issues to do with burial and so on that Elaine Smith and Monica Lennon mentioned.

Bryan and Julie do a fantastic job. At the *Glasgow Times* community champions event, which I think took place last Friday, they received a health and wellbeing award for their work, which shows the amount of recognition that the charity is getting. I note that some of James Dornan's constituents are in the gallery. Perhaps it would be helpful if James Dornan and I worked together, so that we can link up his constituents with Baby Loss Retreat and good practice can be shared.

I again thank James Dornan for giving us—*for giving me*—the opportunity to talk about the issue. I did not think that I would ever be in a position to speak about it this openly, but I am glad that I have had the chance to do so.

I ask that the minister, in addition to the other things that he has been asked to comment on, think about the Scottish Government bringing such a debate to the chamber. If the issue is about breaking down the taboo of miscarriage, the discussion should not have been left to a members' business debate, in which the numbers of speakers are limited. Let us have a Scottish Government-led debate on the matter. I think that that would be a fairly consensual debate. Let us start breaking down the taboo around miscarriage.

17:30

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): I thank James Dornan for lodging the motion and the members who signed it, which helped to ensure that it secured time in the chamber for debate tonight. I also thank members from across the chamber for their contributions, particularly Fulton MacGregor and Michelle Ballantyne, who shared for the first time—certainly for the first time in the chamber—their personal experiences. Doing that is so powerful, particularly in a debate on a topic such as miscarriage, and I thank them for that. It is important that we work to reduce the stigma and taboo around the subject, and both members, along with others members who have spoken on the issue in the past, have helped to do that.

The loss of a baby, no matter at what stage of pregnancy, is a significant and traumatic event that affects many women and their families throughout Scotland. For various reasons, some of those women and families choose to remain silent about what has happened to them. They deserve to be treated with compassion and understanding and to be given time and space to grieve for their loss.

Miscarriage affects about one in five women before the 12th week of pregnancy. There is often no obvious cause. Recurrent miscarriage is less common, affecting—as Michelle Ballantyne said—about one in every hundred women. The chances of finding a treatable cause for recurrent miscarriage are better, but in many cases the cause may still not be identified.

It is vital that women and their families who have experienced a miscarriage are provided with the right information, care and support, taking into account their individual circumstances. We expect healthcare professionals to follow the guidelines that are set out by the Royal College of Obstetricians and Gynaecologists and the National Institute for Health and Care Excellence clinical guidelines to treat all women experiencing early pregnancy complications with dignity, sensitivity and respect, and to be aware that people react to complications or the loss of a pregnancy in different ways.

However, we are aware that, sometimes, care can be variable, particularly for women who do not present at an early pregnancy unit and for women who present out of hours. My officials have written to health boards to ask what their treatment and care pathway is for women who have suffered a miscarriage.

All bereaved parents should receive high-quality, sensitive bereavement care following a loss. That care may include further investigation or counselling as appropriate, which, in the first instance, should be provided by health professionals in their local area. They may also be referred to an appropriate voluntary organisation such as the Scottish Care & Information on Miscarriage, which offers counselling and advice to women and their partners following early pregnancy loss.

SANDS Lothians also offers care and support to women and families for all types of pregnancy and baby loss. I visited its offices during baby loss awareness week in October, to hear about its important work and to talk to members of the charity and bereaved parents.

I am really pleased to let members know about an event that will be running for patients in Edinburgh next May. Michael Rimmer, who is a PhD student at the Medical Research Council centre for reproductive health at the University of Edinburgh, as a well as junior registrar in obstetrics and gynaecology in NHS Lothian, is running a public engagement event on miscarriage. He wants to challenge the taboo around miscarriage by encouraging communication and displaying information from scientific literature, making it accessible to patients, and he has secured funding through an award from the Beltane Public Engagement Network.

Kenneth Gibson talked about grieving. It is important that we have consistently good, high-quality and sensitive bereavement care. The Scottish Government provided funding of £94,000 to SANDS UK to develop a national bereavement care pathway for baby loss in Scotland, which Monica Lennon mentioned. SANDS UK is leading the development of the pathway on behalf of baby loss charities, the royal colleges, other professional bodies and the Scottish Government. Five experiences of pregnancy and baby loss are included in the pathway: miscarriage, including ectopic and molar pregnancy; termination of pregnancy for foetal anomaly; stillbirth; neonatal death; and the sudden and unexpected death of an infant. The pathway will improve the quality of and reduce the inequity in the bereavement care that is provided to parents and families when a baby dies before, during or shortly after birth,

building on the good practice that is already in place in health boards across Scotland.

All health boards were invited to consider whether they would like to become a pathway early adopter site, and we have now identified five health boards—NHS Ayrshire and Arran, NHS Fife, NHS Dumfries and Galloway, NHS Grampian and NHS Lothian—that will take that work forward early next year. I am pleased to let members know that I expect to launch the pathway next spring. I hope that Monica Lennon and others will look forward to that.

We have also set up a working group, chaired jointly by the Royal College of Midwives and the Royal College of Obstetricians and Gynaecologists, to examine the possibility of providing a non-statutory, voluntary certificate for loss occurring before the 24th week of pregnancy, which relates to an issue that was raised by Michelle Ballantyne and Fulton MacGregor.

We know that mental health during pregnancy and after birth is hugely important. That is why the Scottish Government has committed £50 million over the next four years to improving mental health services for women and their families during that period. Miscarriage, pregnancy complications and loss can be devastating for families. There can be many additional challenges around mental health following those traumatic experiences, and it is key that women who experience loss and trauma receive the right mental health support, if needed, and that that support is on-going and available during future pregnancies.

Again, I thank James Dornan for bringing this important motion to the attention of the chamber, and Michelle Ballantyne and Fulton MacGregor for their contributions.

This has been a good debate. Fulton MacGregor's final point was correct, of course. The decision about what business comes to the chamber is for the Parliamentary Bureau, but I agree that it might be good to have a longer, more substantive debate on the issue. There might not be as many people in the chamber today as we might hope, but all the voices that we have heard today are recorded in the *Official Report* and will be heard on Parliament TV. That is important.

I hope that I have reassured the Parliament that the Scottish Government is firmly committed to helping to ease the pain and burden that is felt by women and their families who have, sadly, experienced a loss.

Meeting closed at 17:38.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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