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Scottish Parliament

Thursday 11 June 2020

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

Portfolio Question Time

Rural Economy and Tourism

The Deputy Presiding Officer (Linda Fabiani): Welcome to this virtual meeting of the Scottish Parliament. The first item of business is portfolio questions on the rural economy and tourism. In order to get in as many members as possible, please could all members make questions and answers short and succinct—especially the supplementary questions and answers.

Rural and Island Economies (Impact of Covid-19)

1. **Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** To ask the Scottish Government what assessment has been made of the likely impact of the Covid-19 pandemic on rural and island economies. (S50-04388)

The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing): The impacts of Covid-19 on the Western Isles have been substantial; in particular, the impact on tourism on those islands has been devastating. The Scottish Government is working hard to address those matters.

Dr Allan: There is an obvious concern that the economic impact of the pandemic will exacerbate the long-standing trend of island depopulation. Recession tends to result in working-age families moving to the mainland in search of work. If that happens, the islands could take a long time to recover demographically. Can the cabinet secretary say more about whether the Government will commit to ensuring that an assessment of that issue is made, and that all interventions will be considered?

Fergus Ewing: Yes, I can. I hope that Dr Allan's constituents will feel that the Government is a friend to them and to the islands, through its introduction of the road equivalent tariff and policies including delivery under the croft grant scheme of 1,000 homes, many of which have been built in his constituency.

Our concern is that impacts on population pre-Covid were expected to lead to a 20 per cent decline in population by 2041. There is now an even greater need to consider the issues, so a

population task force has been established to do just that.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): What discussions have there been about moving self-catering businesses into phase 2 of the plans for easing lockdown, and what action has the Scottish Government taken to ensure that grant funding is now reaching self-catering businesses after their initial exclusion from it?

Fergus Ewing: Self-catering businesses were not excluded. However, we did make the initial package more generous as a response to having listened very carefully to people including Fiona Campbell, who represents that group in the tourism sector.

Yesterday, I covered the issue at great length and answered the question several times, but let me repeat the position now. We believe that all accommodation should be reopened for business in phase 3 of lockdown, and with an indicative date—subject to the science being with us and the virus being tackled—of 15 July. Although I absolutely agree that self-catering fixed static units in caravan parks and second homes provide relatively safe methods of enjoying holidays, in comparison with other types of accommodation, the key issue is general travel, which can go ahead only in phase 3, not in phase 2. I gave that answer on at least four occasions in the chamber yesterday, and have repeated it now.

Highlands and Islands (Impact of Covid-19 on Tourism)

2. **David Stewart (Highlands and Islands) (Lab):** To ask the Scottish Government what assessment it has made of the impact of Covid-19 on tourism in the Highlands and Islands. (S50-04389)

The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing): The Scottish Government is keenly aware of the impact that the coronavirus has had on the tourism economy of the Highlands and Islands and is working extremely hard to address that.

David Stewart: Tourism is the lifeblood of the economy of the Highlands and Islands. My mailbox is full of contact from disgruntled tourist businesses that have for a variety of spurious reasons been denied business interruption insurance for interruption due to Covid-19. Will the cabinet secretary join my campaign to raise that injustice with the regulator, and ask insurance companies to think again?

Fergus Ewing: I entirely agree with David Stewart that the response of the insurance companies has been deeply disappointing, which is why the Scottish Government has been very

active on the matter. Fiona Hyslop, who is the lead cabinet secretary on the matter, and I had a conference call with the Association of British Insurers just last week. During it, I expressed my extreme displeasure about the fact that so many insurance companies seem to be denying liability on the basis that the pandemic is the “wrong sort of pandemic”. How truly pathetic. We are campaigning on the matter and will work alongside David Stewart.

This is the first opportunity that I have had since Mr Stewart announced his planned retirement to say what a pleasure it has been, and will continue to be, to work alongside him in representing people in the Highlands of Scotland.

Liam McArthur (Orkney Islands) (LD): What consultation is planned of island authorities and communities on lifting of restrictions on ferry and air travel ahead of the possible opening of the tourism market on 15 July?

Fergus Ewing: Ferry travel has never more been more important than it is now. My colleagues Paul Wheelhouse and Michael Matheson, who are the lead ministers on the matter, are in regular contact with the islands authorities, as am I. We work together to make sure that residents and visitors view Orkney as a premier tourism destination, which, as I know from a recent holiday that my family had there, will continue to be paramount.

Rural Economy (Shetland)

3. **Beatrice Wishart (Shetland Islands) (LD):** To ask the Scottish Government how it is supporting Shetland’s rural economy. (S5O-04390)

The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing): We recognise the particular challenges that Shetland faces at the moment. We have acted quickly to deliver more than £2.34 billion in support to Scottish businesses through rates relief and grant support, and £22.5 million of support to seafood, fishing and aquaculture, which are so important to Beatrice Wishart’s constituents. I believe that approximately £7 million in grant finance is being provided through the rates relief scheme.

Beatrice Wishart: At the Culture, Tourism, Europe and External Affairs Committee meeting on 14 May, the cabinet secretary acknowledged that Shetland and other islands have a shorter tourism season than areas on mainland Scotland have. Some people in the hospitality sector have likened the prospect of a recovery from Covid to having first to survive three winters.

To ensure that there is a tourism sector left to restart, will the Government consider a 12-month

bespoke support package for the islands, to help the visitor economy get through to Easter 2021?

Fergus Ewing: I have a great deal of sympathy with the general argument, which is also being made by members who represent the other island groups in Scotland, about the short duration of the season. Just this week, I put that point again to the United Kingdom tourism minister Nigel Huddleston, and argued that it should be considered very seriously. Businesses need a bit of help to see them through to March next year, when the next tourism season begins.

I hope that, following my announcement yesterday, it will be possible for accommodation providers in Ms Wishart’s constituency to retrieve something from this summer season.

Lockdown (Cross-border Holidays)

4. **Bill Kidd (Glasgow Anniesland) (SNP):** To ask the Scottish Government, in light of the potential impact on rural communities, what its response is to people travelling cross-border to holiday in Scotland’s beauty spots during the lockdown period. (S5O-04391)

The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing): Our good friends from south of the border are always welcome to Scotland, but at this time the guidance for everyone—irrespective of borders—is to travel locally only, for no more than about 5 miles, for leisure or exercise, no matter where they are located.

Bill Kidd: Because of the differences in the approaches to easing of lockdown in Scotland, England and the other nations of the UK, I would be obliged if the minister could advise what communications have taken place between the devolved Governments and the UK Government to address the issue?

Fergus Ewing: I am pleased to say that we work very closely together. We meet Nigel Huddleston, the UK minister who is responsible for tourism, Dafydd Elis-Thomas, the Deputy Minister for Culture, Sport and Tourism in Wales, and colleagues from Northern Ireland every fortnight. We have had numerous discussions, and the question of travel between our nations has been talked about frequently. We all agree that, following lifting of restrictions, people from all over the UK will be able to enjoy a holiday in Scotland, just as we expect that people in Scotland will enjoy the opportunity to holiday in other parts of the UK.

Tourism (Support)

5. **Alexander Burnett (Aberdeenshire West) (Con):** I refer members to my entry in the register of members’ interests in relation to tourism.

To ask the Scottish Government, in light of the income that is expected to be lost in 2020, what support it plans to offer the tourism sector until April 2021. (S5O-04392)

The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing): We are providing more than £2.3 billion of support, including almost £900 million of non-domestic rates relief, £1.3 billion in business grants schemes, and £185 million targeted at small businesses and the newly self-employed. We have provided bespoke assistance via the pivotal enterprise resilience fund and the creative, tourism and hospitality enterprises hardship fund. Additionally, we recently announced that £3 million will go to bed and breakfasts that do not have business bank accounts, providing them with a vital lifeline.

I am in continuous dialogue with the United Kingdom Government's Nigel Huddleston about the further support that I believe will be required to help tourism to get to the other side of this dreadful period.

Alexander Burnett: The support has obviously helped a lot of businesses. However, I have previously raised questions on behalf of constituents who have businesses renting out marquees, providing mobile catering and portable toilets, and so on, and I have had no satisfactory answers. That group in the tourism and hospitality sector is receiving no support whatsoever because of various anomalies. Given that such businesses are now looking at having no income until summer 2021 at the earliest, I ask again what specific support the cabinet secretary will give to help those businesses survive.

Fergus Ewing: If the member wishes to raise with me any individual case in his area, of course I will look at that specifically. I should just say, however, that we set up the bespoke pivotal enterprise resilience fund and the creative, tourism and hospitality enterprises hardship fund precisely because many businesses missed out on qualifying from the initial grant fund, which was based on premises that were classified as tourism, hospitality or leisure businesses on the rateable valuation roll. That is why we did that in Scotland.

I am bound to point out that there is, as I understand it, no equivalent of the pivotal enterprise resilience fund in England, so we have gone further for Mr Burnett and his constituents than his own party has in England. That is something that he might welcome.

Colin Smyth (South Scotland) (Lab): The current criteria for property-related grants in many tourism businesses have a cut-off rateable value of £51,000, and most tourism businesses are not eligible for the pivotal enterprise grant scheme. Will the Government look at extending support to

those businesses that are above the £51,000 threshold?

Fergus Ewing: As Mr Smyth has recognised, the pivotal enterprise resilience fund has been a source of potential grant finance to many businesses whose rateable value is in excess of £51,000. That is a bespoke fund and it is available, but not all businesses qualify. There are rules—there have to be rules—and I am very sorry that we cannot support every business. However, that is the reality. I know that many businesses in his part of Scotland have qualified. Although I could, I do not think that I should mention individual cases.

The last point that I will make is that I have raised with Nigel Huddleston on several occasions, including in writing, the case for a UK-wide approach that would extend the support to businesses with rateable values above £51,000. Scottish Chambers of Commerce has done so as well. However, that has been rebuffed; the Treasury has said no. I think that that is mistaken and that the decision should be reviewed. If it were reviewed, any additional finance would, I believe, be a good investment for the future. It would help those businesses survive and thereby generate more taxes, contributing more to their communities in years to come, rather than risking the possibility of their failing to survive this crisis.

Coach Holiday Industry (Support)

6. **Keith Brown (Clackmannanshire and Dunblane) (SNP):** To ask the Scottish Government what discussions it has had with the coach holiday industry regarding support during the Covid-19 pandemic. (S5O-04393)

The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing): I have had detailed discussions with the Confederation of Passenger Transport, which I believe represents around about 100 of the 300 coach companies involved in tourism. I know just how important they are. We have seen, sadly, the loss of Shearings, which was a hugely successful coach tour business and which provided business to many hotels throughout, for example, the west Highlands.

I have suggested that the United Kingdom Government should have a bespoke scheme for the coach sector; thus far, we have not had a reply. Nonetheless, we continue to press those representations with our UK Government counterparts.

Keith Brown: I very much welcome the announcement that was made by the cabinet secretary of a provisional start date of 15 July, provided, of course, that appropriate safety guidelines are followed. I have had inquiries

regarding the impact that social distancing will have on the sector when it is safe enough to resume business. Will developing safety guidelines in consultation with the coach sector form part of the work of the Scottish recovery tourism task force?

Fergus Ewing: Yes. I expect that the task force will want to consider that, because coaches are a vital part of our tourism sector, taking people to and from hotels, beauty spots, visitor attractions, cities and cruise liners—and doing so in very high-quality coaches. It is therefore essential that we consider how we can help them survive this period. They have considerable fixed costs and, like everything else, this is not an easy area. However, I very much hope that the UK Government will take this very seriously, and that the detailed representations that we have made will be supported by Her Majesty's Treasury with some funding for this part of the tourism sector.

Equestrian Activities (Phased Return)

7. Ruth Maguire (Cunninghame South) (SNP): To ask the Scottish Government, in light of the impact on rural businesses, what engagement it had with equestrian governing bodies to inform the phased return to activity. (S5O-04394)

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): The Scottish Government recognises the many benefits that equestrianism delivers for Scotland, including the economic benefits and the important contribution that is made by the many workers and volunteers. Horsescotland is a key member of the Covid-19 response group that has been set up by sportscotland to consider the conditions that would be required for a safe return for outdoor sport. Horse riding coaching is now permitted if it is outdoors, although some restrictions of course come along with that.

Ruth Maguire: I would like to speak to the minister on behalf of Fergushill riding stables in my constituency about the one household a day rule. Obviously, coaching takes place in an outdoor setting, and the business tells me that one-to-one sessions that are staggered throughout the day, using different horses with their own tack, could go ahead with no compromise to physical distancing and with no cross-contamination from coach to pupil or from pupil to horse. I know that the minister recognises the positive mental and physical health benefits. Will the Government reconsider the one household a day rule to enable this business to continue to be viable?

Mairi Gougeon: I completely understand the concerns that Ms Maguire has outlined, but public health is of course one of the key concerns. As of 29 May 2020, one-to-one teaching has been permitted outdoors but there has to be physical

distancing. The activity is allowed to take place with members of that household as well as members of one other. Horsescotland has recently published guidance for phase 1 of Scotland's route map, which can be found on its website. I would be happy to send those details to Ms Maguire should she find that helpful.

That guidance includes specific advice for riding schools, livery yards, outdoor facilities, coaches and participants, and the activity has to be consistent with the current guidance on health, physical distancing and hygiene. We will continue to engage with the sector to ensure that it can operate more normally as soon as it is safe for it to do so, because we want to see that happen. However, public health is the overriding concern and we need to ensure that we get that right.

Bed and Breakfasts (Support)

8. Angus MacDonald (Falkirk East) (SNP): To ask the Scottish Government what progress has been made regarding plans to support bed and breakfasts that are not on the rates system and were not eligible to apply to the Covid-19 hardship scheme solely because they did not have a business bank account. (S5O-04395)

The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing): We are providing considerable financial support to the tourism sector, which includes B and B businesses that do not have a business bank account and were not previously eligible for support for that reason. Three million pounds has been made available—repurposed from the newly self-employed hardship fund—and applications are expected to open on 15 June. I am informed that, by tomorrow, there should be clear and concise instruction on how and where to complete applications in each local authority area.

Angus MacDonald: The cabinet secretary has covered my supplementary.

Edward Mountain (Highlands and Islands) (Con): I thank the cabinet secretary for responding to my campaign to support small B and Bs that do not pay business rates. Will he also support my campaign to get those small B and Bs 100 per cent council tax relief because they will not benefit from 100 per cent business rates relief?

Fergus Ewing: The history of the matter is straightforward. The grant support was initially provided to tourism businesses that pay business rates. Many bed and breakfast businesses do not pay business rates, although the owners pay council tax because they live in their own house, as we all do.

The gap was where we failed to provide the grant systems for those small businesses—namely, bed and breakfasts and those without

business bank accounts. We have now sought to fill that gap. Mr Mountain is shaking his head, but we have filled that gap. However, we do not grant council tax relief for other businesspeople who pay business rates.

It would be somewhat anomalous and a bit of a surprising commitment from the Scottish Conservatives to grant personal council tax relief for one group in society when other hard-working business people pay their own. I am afraid that I must be candid: I will not support that campaign. I do not know how much it costs, nor whether it is an official Scottish Conservative campaign—I would be interested to find that out later.

In the interim, I am delighted that we have equalised the playing field by making grant finance available for hard-working businesses and bed and breakfast establishments throughout the country.

14:23

Meeting suspended.

14:30

On resuming—

Transport, Infrastructure and Connectivity

Public Transport Capacity (Rural Areas)

1. **Brian Whittle (South Scotland) (Con):** To ask the Scottish Government what action it is taking to ensure that public transport in rural areas has sufficient capacity to meet demand. (S5O-04396)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): As we move through the phases of the Government's route map, we need to recognise that it will not be possible to fully satisfy the demand for public transport. However, we are working with our operators with the aim of making transport provision as fair and sustainable as possible. People should consider, first, whether travel is necessary and, secondly, whether their journey could be completed by walking, wheeling or cycling. They should always consider whether public transport is the right choice for their journey, be mindful of the guidance and restrictions, plan ahead and avoid peak times.

Brian Whittle: The cabinet secretary will be aware of the transport challenges in rural areas, where active travel is a less likely option for getting to work. If my constituents do not have a car, bus and rail travel is essential. How will the cabinet secretary ensure not only that public transport

routes remain open, but that there is sufficient investment to further connect rural communities?

Michael Matheson: As Brian Whittle might be aware, we have already taken decisive action to support public transport providers. We have provided funding to bus operators around the country by rolling out our provisions for concessionary travel, as well as through the bus service operators grant—BSOG—scheme. The BSOG scheme, in particular, helps to support those in rural areas, because it is allocated on a mileage basis, and bus operators normally cover longer distances in rural areas.

We are providing that financial support to bus operators to sustain the existing services, and we will continue to engage with them to look at what further measures can be taken to support them to increase services.

We also have an emergency measures agreement with rail services, which is helping to support the provision of rail services. As of Monday next week, there will be a further increase in capacity on the rail network, which will create a significant uplift in the number of seats that are available each day across the transport network. That will help to support those in rural and urban areas, and it will help to ensure that we meet as much of the demand as we can, given the constraints that public transport users will experience as a result of having to maintain a 2m physical distance.

Reaching 100 per cent Programme (Lot 1 Delivery)

2. **Edward Mountain (Highlands and Islands) (Con):** To ask the Scottish Government when physical work will start with the delivery of lot 1 of the R100 high-speed broadband programme. (S5O-04397)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): The contract award for lot 1—the north lot—of our reaching 100 per cent programme is on hold, pending the outcome of a legal challenge from Gigaclear Ltd. Physical work will start as soon as possible following the conclusion of those proceedings.

In the meantime, we are developing a Scottish broadband voucher scheme, for which anyone who will not have a superfast broadband connection delivered through the R100 contracts, or delivered commercially by the end of 2021, will be eligible. That approach aims to honour our commitment on access to superfast broadband by the end of 2021.

Edward Mountain: The people in the Highlands are frustrated by the Scottish Government's failure to deliver on its promise of broadband by 2021. I have a simple question for the minister, and I ask

that he respond without blaming anyone else. When will he deliver superfast broadband in the Highlands, as he promised? Will that be in 2026 or in 2027?

Paul Wheelhouse: It is difficult to know where to start in responding to that question, Presiding Officer.

The Deputy Presiding Officer: Do not make it too long.

Paul Wheelhouse: Edward Mountain's question is founded on the false premise that there has been no progress whatsoever in the situation.

Highland Council, which is close to Mr Mountain's heart, has seen progress between January 2014, when 20.3 per cent of premises could have had superfast access, and June of this year, when the figure is 80.5 per cent. That is an increase of 60 percentage points, reflecting a far faster rate of increase than there has been across the United Kingdom as a whole.

As Mr Mountain knows, broadband provision, like all telecoms issues, is a reserved matter. The Scottish Government is intervening to address market failure, and the R100 programme will deliver, although we have clearly been delayed by the current legal proceedings, which we cannot fast track—we will have to wait for their outcome.

I assure Mr Mountain and everyone whom he represents in the Highlands and Islands that they will be eligible for the voucher funding that will be available from this summer onwards. Through the online checker that we are developing to provide information at a premises level, his constituents should be able to tell whether they are eligible for R100 and when it will deliver to their premises. If that is likely to be beyond the end of 2021, they will be able to use the voucher funding to deliver a solution.

The Deputy Presiding Officer: I know that that answer was needed, but can answers be briefer, please?

I call Liam McArthur for a brief supplementary question.

Liam McArthur (Orkney Islands) (LD): The lockdown has cruelly exposed the digital divide that still exists between the haves and the have-nots. For example, my constituents on Hoy have highlighted the poor service that they have had—if they have received any service at all—for which they pay the full cost. What assurance can the minister provide that the delayed implementation of R100 will prioritise roll-out in areas such as Orkney, which have the lowest level of coverage?

Paul Wheelhouse: Liam McArthur raises a fair point. We are acutely aware of how important digital connectivity has been not just for MSPs but

for all our constituents in trying to address the challenges of continuing to work from home, home schooling children and accessing telehealth in areas such as Orkney. The importance of investment in infrastructure in Orkney, as in other rural and island communities, is not lost on me or my colleagues in the Scottish Government.

I reassure Mr McArthur that we are looking at how, in the recovery plan, we can prioritise investment to address areas of poor coverage for both mobile and broadband. There are a couple of sites in the Orkney area—Rackwick and Deerness—that I hope will also benefit from the Scottish 4G infill programme on the mobile connectivity side. I hope to liaise with him about that.

Mr McArthur's point is well made. The Scottish Government well understands the benefits of digital infrastructure, and we are keen to address poor coverage in areas such as Orkney.

School Buses (Capacity)

3. Bill Bowman (North East Scotland) (Con): To ask the Scottish Government what steps it is taking to ensure that there will be sufficient capacity and operators for school buses to operate when schools return in mid-August. (S50-04398)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): The Deputy First Minister has published guidance for local authorities on school transport to support the reopening of schools in August. It makes clear that local authority transport teams should work closely with transport operators to assess the capacity that will be needed to meet the transport needs of pupils in their areas.

Through the education recovery group, the Scottish Government is working closely with local authorities and other transport stakeholders to support the reopening of schools. That includes building our understanding of the practical and financial issues that local authorities and their partners will face.

Bill Bowman: It is obvious that toiling transport infrastructure is of great concern at all levels of education. Dundee and Angus College Students Association has contacted me to say that shrinking local bus timetables, services and capacity will impact severely those students who live in rural areas, given that buses are their only mode of transport to campuses, as well as students on vocational courses or work placements. What will the cabinet secretary do to combat that situation, so that students are not disadvantaged in their education because of where they live?

Michael Matheson: The funding that we provide to bus services is to support the bus

sector to maintain services to the level in the public service contract that we have with it across the whole network, in both urban and rural areas, particularly to support key workers. We will be looking to see what further assistance we can provide to bus operators to enable them to increase capacity across their networks. We will, of course, help to support those students who will hopefully be able to return to college later in the summer to make use of bus services. However, given the need for physical distancing to be maintained on the public transport network, capacity will be considerably constrained over an extended period, and it is important that education settings have arrangements in place to support students in home learning alongside campus-based learning. That will assist in minimising the need for them to travel on public transport.

Superfast Broadband Roll-out (Impact of Covid-19)

4. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): To ask the Scottish Government what action it is taking to roll out superfast broadband, and how this has been impacted by the Covid-19 outbreak. (S5O-04399)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): All regulatory and legislative responsibility for telecommunications rests with United Kingdom ministers. However, to improve coverage and address obvious market failure, and building on the success of the £463 million digital Scotland superfast broadband programme, our £600 million reaching 100 per cent programme has been developed to support every home and business in Scotland to have access to superfast broadband. Those programmes have been impacted by lockdown restrictions but have not stalled completely; new build activity has progressed and the maintenance of critical digital infrastructure has continued throughout the lockdown.

I thank all the telecommunications key workers involved for helping to keep everyone connected throughout the crisis. Broadband connectivity is at the forefront of our plans for a green economic recovery, and there will be a gradual ramping up of new build activity as we move through the phases of Scotland's route map.

Rachael Hamilton: I seek clarification in relation to the minister's answer to my written question this week. Will he commit to reporting to Parliament how the timescale for the physical deployment phase of R100 is being affected by safe working practices being adopted in the context of the need to prevent transmission of coronavirus?

Paul Wheelhouse: That is a reasonable request from Rachael Hamilton. I am keen to keep

her and other colleagues in the Parliament updated on progress. Our current estimate is that the physical build in the south lot area may start in July. However, as Ms Hamilton has outlined, we have to take account of the need for modified working practices in the sector, and we will engage with BT and Openreach in reaching a conclusion. We hope that work in the central lot area may resume in August and September. Survey work and a lot of desk-based work has been on-going throughout the Covid-19 period, which has prevented the work from stalling completely. We will try to keep members such as Ms Hamilton well informed on the physical build-out.

The Deputy Presiding Officer: Can I have shorter answers, please? There is very little time left, and three members want to ask questions.

Construction and Procurement of Ferry Vessels (Committee Inquiry)

6. Gordon Lindhurst (Lothian) (Con): To ask the Scottish Government what its position is on whether a transport company it owns should pressure a witness to withdraw evidence given before a parliamentary committee. (S5O-04401)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): Ministers fully support the need for committee witnesses to be free to present any evidence that they wish to. It is for the Parliament's committees to scrutinise the witnesses to ensure clarity and corroboration of evidence, and I am confident that the committees of this Parliament take that responsibility seriously and perform their role very effectively in that regard.

Gordon Lindhurst: Will the Government write to Caledonian Maritime Assets Ltd, a company in which it is the sole shareholder, and advise it that it is improper to try to place pressure on witnesses who give evidence to parliamentary committees?

On the two ferries being constructed by Ferguson Marine Engineering Ltd, will the cabinet secretary confirm the latest updated figures in relation to the total cost and overall timetable for delivery?

Paul Wheelhouse: On the first question, CMAL is aware that we would not have taken the step of writing to the committee. I have made it clear that it is a matter for the committee. Although we were unhappy with some of the remarks that were made in the sessions, our officials were able to address that in a subsequent evidence session, which is why, in my original answer, I made it clear that I know that the committee is fair in how it handles these matters and allows the Government to respond when comments are made. We are comfortable that that point has been addressed.

On the second point, if it would be helpful, I will write to Mr Lindhurst with the latest position on the financial outturn for vessels 801 and 802.

Sustainable Travel Choices

7. James Dornan (Glasgow Cathcart) (SNP): To ask the Scottish Government how it supports people in making sustainable travel choices. (S5O-04402)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): We have clearly set out our sustainable travel hierarchy within the national transport strategy to promote walking, cycling and public transport in preference to single-occupancy car use. The Covid-19 emergency does not change our advocacy of the hierarchy. We have continued to invest in active, public and shared transport solutions, which provide healthy and environmentally friendly journey alternatives to single-occupancy car journeys. Local authorities have embraced the new £30 million spaces for people programme to deliver bold and ambitious temporary active travel measures to allow people to physically distance while travelling or exercising.

James Dornan: We know that people should not be travelling long distances for leisure or exercise at this stage, but how is the Scottish Government engaging with local authorities to encourage more people to take up active travel, particularly given its benefits to physical and mental health and the environment?

Michael Matheson: Mr Dornan raises an important issue. The Scottish Government is grant funding Sustrans Scotland to deliver the places for everyone cycling and walking infrastructure programme, in partnership with local authorities across the country. We have repurposed £30 million of the budget to deliver the spaces for people fund, to help local authorities to change street layouts and support physical distancing during the transition out of the Covid-19 lockdown. As of 9 June, 30 of the 32 local authorities have inquired about or made claims to the fund, and 26 awards, worth more than £16 million, have been made to 17 local authorities.

Sustrans is also supporting 10 local authorities on 20 live or proposed projects. The majority of that support is around design and community engagement issues.

Public Transport (Safety and Practicability During Covid-19 Outbreak)

8. Michelle Ballantyne (South Scotland) (Con): To ask the Scottish Government what steps it is taking to ensure that public transport is

safe and practicable for people using it during the Covid-19 outbreak. (S5O-04403)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): We recently published the transport transition plan, which contains comprehensive guidance for our transport operators, staff and members of the public during the recovery phase of Covid-19. The guidance has been informed by transport operators, the Convention of Scottish Local Authorities, regional transport partnerships, passenger groups and trade unions and, at a minimum, will be reviewed in line with the Scottish Government's regular three-weekly review of lockdown requirements.

Michelle Ballantyne: The rules that the Government has recently introduced limit to 10 the number of passengers allowed on a bus at any time. Although that fits with the guidelines and, given the Covid-19 situation, appears to be a sensible route to take, it has caused concern in the bus industry. First Bus Scotland director Andrew Jarvis said that due to buses being able to carry only 25 per cent of their capacity,

"we will very quickly run out of resource, capacity and money as we progress through the Government's plan to lift lockdown measures".

Does the Scottish Government recognise that picture of a bus system that could end up on its knees? What steps will it take to address the sector's concern about sustainability, which, in his answer to Brian Whittle's question, the cabinet secretary said was so important?

Michael Matheson: As the member will have heard in my response to Brian Whittle, we moved very quickly as a Government to take decisive action to support the bus industry with the provision of access to concessionary fare funding and to bus service operators grant funding.

The member raises an important issue, which is the physical constraints in the transport sector, and buses in particular, due to the 2m physical distancing requirement. We are engaging with the bus sector to consider other measures that we could put in place to mitigate that. We have provided funding to Alexander Dennis Ltd—ADL—to explore what adaptations could be made to buses, and research is being undertaken at pace to see whether adaptations could be deployed to increase significantly the number of passengers on buses, given the current capacity constraints. We are also engaging with the bus industry to look at what further financial support might be necessary to support the industry in the future and to ensure that passenger services are provided equitably across the country.

The Deputy Presiding Officer: That concludes portfolio questions on transport, infrastructure and

connectivity. I apologise to members who wanted to ask supplementary questions. I feel that other members who have logged questions should have a chance to ask them.

14:51

Meeting suspended.

15:01

On resuming—

Justice and the Law Officers

The Deputy Presiding Officer (Christine Grahame): The next item of business is portfolio questions on justice and the law officers.

Covid-19 Restrictions (New Offences)

1. **Colin Smyth (South Scotland) (Lab):** To ask the Scottish Government whether it plans to create any new offences to enforce restrictions on travel distances for the purpose of exercise and leisure and group size for the purpose of meeting other households. (S5O-04404)

The Cabinet Secretary for Justice (Humza Yousaf): The overwhelming majority of people are acting in line with the guidance, and I would like to take this opportunity to record my thanks to them for playing a vital role in reducing the spread of the virus and saving lives.

I cannot stress enough how important it is that people follow the rules. The reproduction number remains precariously close to 1 and we are at a critical stage. People should stay within their local area for exercise and recreation and meet with members of no more than one other household at a time, outdoors and in small numbers—eight at most.

I am in regular contact with the chief constable about public behaviour and levels of compliance. The Scottish Government does not consider it to be necessary, at this time, to create new offences to enforce the rules. However, we will continue to monitor the situation and will not hesitate to legislate, or move these rules from guidance into regulation, if necessary.

The Deputy Presiding Officer: Your microphone is switched off, Mr Smyth.

Colin Smyth: I was waiting to be unmuted, Presiding Officer.

Cabinet secretary—[*Inaudible.*]—travelling to popular tourism hot spots that are more than 5 miles from their home. If there will be no legal measures to stop that, will he at least commit to ensuring that next week's review on lockdown will look at how to mitigate its impact on communities?

The Government's guidance is that car parks should remain closed, and that has led to a lot of residents' lives being made a misery because visitors parking in streets and residential areas is having a big impact on them.

The Deputy Presiding Officer: Did you manage to hear that, cabinet secretary?

Humza Yousaf: I did indeed. Colin Smyth raised a very important, pertinent point. I give an absolute assurance that as we look towards the next review period we will absolutely consider that issue. Let me also give him an absolute assurance that we are not waiting for the next review period; we are already regularly consulting and in discussion with local authority partners and Police Scotland about beauty spots.

Although there were still some issues last weekend—Colin Smyth is right to raise some of those—there were far fewer than during the previous weekend, which was the first weekend of phase 1. That was because of a co-ordinated effort between Police Scotland, local authorities, national parks and others. However, where we can make improvements—and I certainly think that we can, whether in messaging, regulation or guidance—we will, of course, look to do so.

Hate Crime and Public Order (Scotland) Bill (Sectarianism)

2. **John Mason (Glasgow Shettleston) (SNP):** To ask the Scottish Government how the Hate Crime and Public Order (Scotland) Bill could impact on sectarianism, in the light of that not being specifically mentioned in it as a characteristic that might attract expressions of hatred. (S5O-04405)

The Cabinet Secretary for Justice (Humza Yousaf): We remain committed to tackling all forms of sectarianism. We continue to invest in community work to address the issue, having invested an unprecedented £14.5 million in that work since 2012.

In line with Lord Bracadale's findings in his independent review of hate crime legislation in Scotland, we consider that sectarian behaviour can be captured using the race and religious aggravations provisions. That is what happens at the moment. Where appropriate, both aggravations can be used together.

Our public consultation found that a majority of respondents—almost 60 per cent—did not think there was a need to address and define sectarianism in hate crime legislation, primarily citing the reason that they believed that sectarianism was already adequately covered in existing legislation. Therefore, although the Hate Crime and Public Order (Scotland) Bill does not provide for a specific statutory aggravation of

sectarianism, or for a stirring-up of hatred offence, it will be possible for its provisions to be applied in respect of sectarian-based offending.

John Mason: I agree with a lot of what the cabinet secretary has said.

Sectarianism is a particularly toxic mix, because it brings together religion, race, culture and other issues. That sets it apart from a situation when just one issue on its own—such as race—is being looked at. Would the cabinet secretary reconsider whether sectarianism needs some extra examination?

Humza Yousaf: I agree with John Mason's general point. The Government does focus on sectarianism: I have just given a couple of examples of where we have invested heavily in anti-sectarian projects. The issue deserves a focus.

The question is whether a sectarian prejudice aggravator would be the best way to deal with that offending behaviour. I assure John Mason that there was very careful consideration, but it was my view that the bill would not be the best place to deal with that particular offending behaviour.

I look forward to seeing the submissions that come in following the Justice Committee's call for evidence and to the parliamentary debate. As I always do when I introduce legislation, I will keep an open mind.

The Deputy Presiding Officer: I ask for slightly shorter answers as I want to get everybody in. I appreciate that this is very important. Donald Cameron has a brief supplementary.

Donald Cameron (Highlands and Islands) (Con): Part 2 of the Hate Crime and Public Order (Scotland) Bill has been seen in many quarters as a direct attack on freedom of speech. We all wish to stamp out hate crime, but with religious groups, the National Secular Society and academics lining up against the bill, will the cabinet secretary reconsider the part 2 provisions?

Humza Yousaf: As I said in my previous answer, I will listen to the debate, but I do not agree with the premise of Donald Cameron's question. I met faith groups. I met the Catholic Church, the Church of Scotland, the Scottish Council of Jewish Communities and the Muslim Council of Scotland, the Ahl Al Bait society and many others. I would not characterise them as opposing the bill, including part 2. They raised some concerns, but they understood that this is not an attack on freedom of speech because part 2 of the bill sets a very high threshold. Behaviour would have to be not only abusive or threatening but likely to stir up, or having the intention of stirring up, hatred.

I look forward to the debate. I will listen to the many groups that Donald Cameron refers to and I will keep dialogue open with members of the Opposition.

Police Officers (Covid-19 Tests)

3. **Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government how many police officers have been tested for Covid-19. (S5O-04406)

The Cabinet Secretary for Justice (Humza Yousaf): Information received from Police Scotland confirms that, as of 8 June 2020, 914 police officers and staff have been tested for COVID-19.

I would advise the member that Police Scotland publish data on the number of tests arranged. The information is available from the Police Scotland website and is published each week.

The testing of police officers and staff is important and will continue as long as is necessary. Our police officers are on the front line each day. I thank them for the work they do to keep us safe. As the Minister for Community Safety has already said, there is no barrier to accessing testing for police officers or staff.

Liam Kerr: Police Scotland has more than 17,000 officers and 5,000 staff, but the data to which the cabinet secretary referred suggests that fewer than 300 tests were arranged during the whole of May. The Scottish Police Federation warned that asymptomatic testing was not being offered, and it seems that it is right.

The SPF has asked why Crown Office and Procurator Fiscal Service guidance allows those arrested for coughing or spitting on officers to be released from custody before trial. Does the cabinet secretary know why that is the case?

Humza Yousaf: There are two parts to the member's question. On testing, I repeat what the Minister for Community Safety has confirmed: officers who have been involved in a suspected Covid-positive incident can get tested, even if they are asymptomatic. There is no equivocation on that point.

On the point about the Scottish Police Federation, I always listen carefully to what it has to say. Decisions on who is placed in custody and who is retained on remand are not made by ministers but are independent of them.

If someone has been accused of assaulting police officers, and has a pattern of behaviour of assaulting police officers, I am not entirely convinced that keeping them in a police custody cell, where they would be surrounded by police officers, is necessarily the best course of action.

However, I will listen carefully to what the SPF and others have to say on the matter.

Domestic Abuse Victims (Support During Covid-19 Outbreak)

4. **Sandra White (Glasgow Kelvin) (SNP):** To ask the Scottish Government what support is being provided to victims of domestic abuse during the Covid-19 outbreak. (S5O-04407)

The Cabinet Secretary for Justice (Humza Yousaf): First and foremost, it is completely unacceptable that people may be experiencing abuse in their own homes. Let me be clear: help is available to anyone who is experiencing domestic abuse.

We have allocated more than £1.5 million to Scottish Women's Aid, the advocacy, support, safety, information and services together project—ASSIST—and Rape Crisis Scotland to support rapid service redesign, expand capacity and cover the costs of infrastructure.

I will keep my comments brief, Presiding Officer. I speak to the chief constable almost daily; I also speak to local authority partners regularly on the issue. In addition, we continue to listen to the survivors of domestic abuse on what more we can do to assist them during lockdown.

Sandra White: Every element of support is welcome. I would like to highlight a new service that Glasgow and Clyde Rape Crisis offers during the lockdown. It has established a text support service for survivors, who are finding it extremely difficult to find a private place or space in which to seek support. Will the cabinet secretary commit to providing support to ensure that the service can be open to other organisations that offer assistance to survivors of sexual violence and abuse? Will he commit to ensuring that that support continues post-lockdown?

Humza Yousaf: Again, I will be brief, Presiding Officer. Yes, I commit to looking with an open mind not just at the service that Sandra White has mentioned, but at whether we can potentially give similar support to other organisations. She makes the very good point that it is not just about supporting survivors of domestic abuse during lockdown. If we can support them further when it comes to the transition out of lockdown, or, indeed, when we are in the recovery phase, the Government takes that exceptionally seriously.

Liam McArthur (Orkney Islands) (LD): Scottish Women's Aid has warned that increased requests for emergency accommodation have coincided with the reduction in its capacity due to distancing requirements and delays in moving individuals to more permanent homes. Does the cabinet secretary believe that there is enough refuge capacity? Is he aware of recommendations

from the House of Commons Home Affairs Committee that space in hotels and hostels be secured, so that a safe space can be guaranteed?

Humza Yousaf: Those are exceptionally important questions. Scottish Women's Aid and others have raised that issue with me previously. Christina McKelvie, the Minister for Older People and Equalities, Kevin Stewart, the Minister for Local Government, Housing and Planning, and I are in discussions with those organisations about what additional support we can provide.

I have not seen the Home Affairs Committee's report, but on the back of Liam McArthur's question, I will make sure that I have access to it. We can learn from other jurisdictions—I am always open to doing that.

Prisoners (Pre-release Covid-19 Tests)

5. **Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Government for what reason prisoners are not routinely tested for Covid-19 before release. (S5O-04408)

The Cabinet Secretary for Justice (Humza Yousaf): Operational measures taken by prison and health staff have been effective in reducing the spread of Covid-19 across the prison estate. As at the week ending 5 June, there were no confirmed positive cases of Covid-19 in Scottish prisons, and just seven individuals self-isolating across five establishments. That is a significant achievement by Scottish Prison Service and national health service staff.

As happens in the wider community, prisoners who display symptoms of Covid-19 can be tested to determine whether they have the virus. Relevant healthcare arrangements would then be put in place, as appropriate, for prisoners who have reached their liberation dates.

Under the recent early-release scheme, if a healthcare professional considered that a prisoner had, or was likely to have, coronavirus, that individual would not be authorised for immediate early release. In practice, there have been no cases in which that was necessary.

Testing of people who are asymptomatic provides an assessment of whether there is evidence of virus in their sample only at that point in time. Prison and NHS staff will continue to keep the position on testing under review, in the light of relevant health protection advice.

Murdo Fraser: I thank the cabinet secretary for his comprehensive response, and I hear all that he has to say.

However, a prisoner who is being released is moving from one residential setting to another. Given that we now know the importance of testing in tracing incidences of coronavirus, does he

agree that it would, simply as a precautionary measure, be prudent to test prisoners at the opportunity that is presented when they are leaving prison and going into the wider population?

The Deputy Presiding Officer: Cabinet secretary, your answer will have to be brief, please.

Humza Yousaf: I will certainly reflect on what Murdo Fraser has said. Every prisoner who is released is given adequate healthcare advice. We should bear it in mind that if a prisoner who was due for liberation was tested and found to be positive, it is not clear whether, legally, they could be held back from being liberated. What is important here is that we ensure that appropriate healthcare advice is provided. However, I will continue to keep the situation under review.

The Deputy Presiding Officer: I have five minutes left in which to take three questions. If members could be brief, we might just get through them.

Prisoners (Mobile Phone Use)

6. Jamie Halcro Johnston (Highlands and Islands) (Con): To ask the Scottish Government what conditions are placed on the use of mobile phones that have been allocated to prisoners during the Covid-19 outbreak. (S5O-04409)

The Cabinet Secretary for Justice (Humza Yousaf): A number of restrictions and security controls will be placed on prisoners' use of mobile phones, which will be similar to those that are in place for the existing prison telephone system.

The receiving party will be notified that the call originates from a prison. Such mobile phones will be able to call only the phone numbers that are already on an approved call list. However, in addition, people who are in custody will be able to contact the Samaritans from them at any time.

Calls can only be made from and cannot be received on such phones. All calls will be recorded. It will also not be possible to access the internet or to send or receive text messages using them. In addition, security seals will be fitted to each battery. If those are damaged, the phone will be removed.

Jamie Halcro Johnston: I fully appreciate the need for prisoners and their families to be able to continue to communicate at a time when visiting is not possible because of the pandemic.

Does the cabinet secretary believe that there are no reasonable opportunities for such mobile phones to be misused, and that technology for monitoring calls is fully in place? Has he been made aware of any incidents in which misuse might have occurred? Further, will he confirm

whether the Scottish Government plans to withdraw the phones from prisoners after the Covid-19 outbreak has ended?

The Deputy Presiding Officer: I did ask for brevity, Mr Halcro Johnston.

Humza Yousaf: In brief, use of such phones has not yet been rolled out. The existence of the security provisions is exactly why we are taking the necessary time over that. As the current phone system is not 100 per cent risk free, I cannot sit here and give Jamie Halcro Johnston an absolute assurance that there will be no issues whatsoever. However, I can assure him that if any should be identified they will be dealt with swiftly and effectively.

Police and Prison Custody (Treatment of People with Complex Medical Conditions)

7. Emma Harper (South Scotland) (SNP): To ask the Scottish Government whether it will provide an update on the process through which people with complex medical conditions are treated when they are taken into police or prison custody. (S5O-04410)

The Cabinet Secretary for Justice (Humza Yousaf): Every day, our front-line police and prison officers, together with our national health service staff, work hard to support people in custody, many of whom have complex healthcare needs.

On admission to custody, every prisoner is screened to identify whether they have any immediate healthcare needs. Although the admission process is slightly different depending on whether they will be in police or prison custody, if an individual with complex medical conditions in either setting requires medical attention, they will be attended to by NHS healthcare professionals. Where a need is identified, a patient will be referred to an appropriate healthcare setting or clinical specialty, in line with clinically led protocols.

In both settings, the responsibility for healthcare services sits with integration joint boards and NHS boards.

Emma Harper: I have had a few cases in which people with complex medical issues have faced challenges in obtaining their medication.

Will the cabinet secretary commit to working with me to provide further detail so that we can help people to take a health approach if they find themselves in police or prison custody?

Humza Yousaf: I would be happy to meet Emma Harper to discuss the issue in more detail.

**Black, Asian and Minority Ethnic People
Injured in Police Custody**

8. Daniel Johnson (Edinburgh Southern) (Lab): To ask the Scottish Government, in light of recent international events, what data it keeps on the injuries incurred by BAME people in police custody. (S5O-04411)

The Cabinet Secretary for Justice (Humza Yousaf): I thank Daniel Johnson for raising an important issue.

The Scottish Government does not collect or hold any data regarding injuries incurred by BAME people in police custody in Scotland. Data collection regarding people who are injured while in police custody is an operational matter for the chief constable. However, I can confirm that Police Scotland has indicated that its national custody system records the ethnicity and details of any injuries of those presenting at a police custody centre. Injuries are referred to and assessed by national health service staff either on site or at a local hospital and a suitable care plan is put in place.

Daniel Johnson will know that the functions of the Scottish Police Authority include maintaining the Police Service of Scotland, promoting and supporting continuous improvement in the policing of Scotland, keeping the policing of Scotland under review, and holding the chief constable to account. In that vein, I will raise the issue with David Crichton and the chief constable during our next trilateral discussion.

I say to Daniel Johnson that, notwithstanding possible challenges in identifying that data—for example, numerous records may have to be manually sifted—he has raised an important issue and I will endeavour to raise it with my colleagues.

Daniel Johnson: Clearly, in the light of George Floyd's tragic death in the United States, we must redouble our efforts in this regard. Does the cabinet secretary agree that we should have regular reporting of that data? Can he also elaborate on the answer that he gave in yesterday's anti-racism debate about disaggregated data on hate crimes?

Humza Yousaf: In the interests of time, I will write to Daniel Johnson about the disaggregated hate crimes data.

On the first part of Daniel Johnson's question, I could not agree with him more. I have to personally redouble my efforts in these matters, and as a Government we have to redouble our efforts. There is nothing to be lost from having as much transparency as possible on the data. It is not my data, so I cannot give an absolute assurance around publication, but I will raise the issue with the chief constable and the SPA. In

principle, I broadly support what Daniel Johnson says.

The Deputy Presiding Officer: That concludes portfolio questions on justice and the law officers.

Topical Question Time

15:22

The Deputy Presiding Officer (Christine Grahame): The final item of business is topical question time.

Covid-19 (Family Contact for Prisoners)

1. **James Kelly (Glasgow) (Lab):** To ask the Scottish Government what arrangements are being made to enable prisoners to have contact with their families during the Covid-19 outbreak. (S5T-02245)

The Cabinet Secretary for Justice (Humza Yousaf): First and foremost, I apologise to James Kelly for the technical issues that I had the last time that he tried to ask this important question.

We recognise and value the importance of family links and the impact of the restrictions, and the suspension of visits in particular, on those who are in custody and their families. The Scottish Prison Service has been working hard to introduce a variety of different initiatives to enable contact between those who are in custody and their families during the current Covid outbreak.

From next week, virtual visits will go live at a number of sites, allowing those who are in custody and their families to have video calls. The scheme will then be rolled out across the prison estate in the coming weeks. In addition, as I referenced during portfolio question time, restricted mobile phones are being introduced across the prison estate as another way of supporting those who are in custody. Directions through the prison rules to allow that to happen will be laid before Parliament next week, with the roll-out of phones starting thereafter.

The email a prisoner service is available in all prisons, as is prisoner voicemail, which allows those in custody to listen to messages from friends and family.

James Kelly: As the cabinet secretary noted, the current restrictions are very challenging for prisoners and their families due to the lack of contact. Visits have been cancelled since 24 March. Why has the introduction of virtual visits taken nearly three months? What steps will be taken to deal with those who do not have the information technology capability or adequate data on their devices to be able to make the arrangements for a virtual visit?

Humza Yousaf: Those are important questions. I know that James Kelly will absolutely understand this but, during the Covid-19 pandemic, nobody, let alone the Scottish Prison Service, has been sitting on their hands or twiddling their thumbs.

There has been a public health crisis for us to deal with. Therefore, the efforts have been going into dealing with that crisis and keeping as many people in our prisons as safe as possible. I remind members that, at any one time at the peak of the crisis, 100 people across the prison estate were self-isolating. As I said, that number has now reduced to single figures. First and foremost, the effort has been focused on the public health imperative.

In relation to the time that it has taken for the measures on mobile phones and virtual visits to be put in place, clearly, setting up infrastructure for such matters takes time. However, it is not the case that the Scottish Prison Service has been doing nothing in that regard. It has given extra credit to prisoners so that they can call their families, it has introduced the email a prisoner system and rolled that out across all establishments, and it has the prisoner voicemail system.

I hope that James Kelly understands—I know that he does, because of his vast experience in these matters—that the infrastructure for virtual visits or mobile phones across some of the prison estate needed updating and upgrading, which has taken some time.

James Kelly: The Scottish Human Rights Commission has identified that restrictions placed on prisoners leaving their cells and the lack of exercise can potentially compromise a prisoner's mental health and wellbeing. What arrangements are being made for health and mental health checks to be carried out on prisoners to ensure that there is no undue deterioration in their health during the current difficult circumstances?

Humza Yousaf: That is a really good question from James Kelly. I have had calls with the Scottish Human Rights Commission on a number of occasions during lockdown.

The reduction in the prison population has made our job immeasurably easier. I know that James Kelly supported the early release scheme. As a result of that scheme and the reduction in court business, we have seen a dramatic drop of more than 1,000 prisoners in our prison population. That has made the attention that we can give to each prisoner, whether it relates to their physical or mental health, so much better.

The Scottish Prison Service and I speak about mental health regularly and information is provided to each prisoner on their mental health and wellbeing. Clearly, if we can do anything further on that, we will look to explore it.

Meeting closed at 15:28

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