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Tuesday 9 February 2021

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Tuesday 9 February 2021

CONTENTS

	Col.
TIME FOR REFLECTION	1
BUSINESS MOTION	3
<i>Motion moved—[Graeme Dey]—and agreed to.</i>	
TOPICAL QUESTION TIME	4
Learning Disability (Covid-19)	4
COVID-19	8
<i>Statement—[Michael Matheson].</i>	
The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson)	8
URGENT QUESTION	24
Covid-19 Vaccination Centres (Delays)	24
MALICIOUS PROSECUTIONS	30
<i>Statement—[The Lord Advocate].</i>	
The Lord Advocate (James Wolffe)	30
GREEN RECOVERY INQUIRY	42
<i>Motion moved—[Gillian Martin].</i>	
Gillian Martin (Aberdeenshire East) (SNP)	42
The Minister for Rural Affairs and the Natural Environment (Ben Macpherson)	45
Liz Smith (Mid Scotland and Fife) (Con)	48
Claudia Beamish (South Scotland) (Lab)	50
Liam McArthur (Orkney Islands) (LD)	52
Mark Ruskell (Mid Scotland and Fife) (Green)	54
Joan McAlpine (South Scotland) (SNP)	55
Peter Chapman (North East Scotland) (Con)	57
Stewart Stevenson (Banffshire and Buchan Coast) (SNP)	58
Sarah Boyack (Lothian) (Lab)	59
Angus MacDonald (Falkirk East) (SNP)	61
Jamie Halcro Johnston (Highlands and Islands) (Con)	63
John Mason (Glasgow Shettleston) (SNP)	65
Willie Coffey (Kilmarnock and Irvine Valley) (SNP)	67
Alex Rowley (Mid Scotland and Fife) (Lab)	68
Maurice Golden (West Scotland) (Con)	70
The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop)	72
Finlay Carson (Galloway and West Dumfries) (Con)	74
DECISION TIME	78

Scottish Parliament

Tuesday 9 February 2021

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

Time for Reflection

The Presiding Officer (Ken Macintosh): *[Inaudible.]*—church in Aberdeen. I welcome the Rev Keith Blackwood.

The Rev Keith Blackwood (Mannofield Church, Aberdeen): One year on from hearing of coronavirus, discussing the probability of it coming here and planning a defence against it, and after 12 months of head-on daily entanglement with it, it is inevitable that, as human beings, leaders and politicians, we find ourselves fatigued and fragile. That is what living daily with the anxiety that coronavirus causes does.

Today, I would like to say thank you to all of you. In the past year, many have been thanked for their care of others. By the nature of your position—through decision making, policy shaping and purposeful debate, and in your representation of the whole population—you carry necessary responsibility. Thank you for what you have done and for what you are doing.

The responsibility that we carry in life has a profound influence on us in many ways. It determines the focus of our work and drives us in our use of available time, opportunities and skills. Our success in carrying it is intrinsically linked to our state of mind and our emotional and mental wellbeing. We cannot deny that carrying responsibility has an impact on us, and it is there wherever we turn—we cannot hide from it.

For some professions and vocations, such responsibility is the mortar that holds together the different parts of the job. There is responsibility for the welfare of others, society, the world and the planet—big concerns with expansive remits. However, whatever job or role we take on, the responsibility for doing it appropriately and well is inherent.

As a father, mother, son, daughter, sibling, husband, friend, minister or parliamentarian, we are defined in our role or vocation by the responsibility that we are given. In fact, that is surely one of the key elements that define us as human beings—as community members of humanity. It is the divine charter that is set out for us.

We are born to have such responsibility for others and for the world that we live in. We have been given the tools—some would say that they

are God given—and the opportunities to succeed. Even though we sometimes fail, there is always a new day, a new year and a new challenge to focus our attention on.

God bless you in your work and in your life away from work, and may all of us find a way to fulfil, to the best of our abilities, the responsibilities that this life and this time provide for us.

Business Motion

14:04

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-24099, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, which sets out a revision to business.

Motion moved,

That the Parliament agrees to the following revision to the programme of business on Tuesday 9 February 2021—

after

followed by Ministerial Statement: COVID-19

insert

followed by Ministerial Statement: Malicious Prosecutions

delete

5.00 pm Decision Time

and insert

5.25 pm Decision Time—[*Graeme Dey*]

Motion agreed to.

Topical Question Time

14:04

Learning Disability (Covid-19)

1. **Joan McAlpine (South Scotland) (SNP):** To ask the Scottish Government what its response is to figures published by the Scottish Learning Disabilities Observatory, which state that people with a learning disability are three times more likely to die of Covid-19 and twice as likely to experience serious disease. (S5T-02654)

The Minister for Mental Health (Clare Haughey): The Scottish Government thanks the Scottish Learning Disabilities Observatory for completing that report and research, which helps our understanding of the impact of coronavirus on people with a learning or intellectual disability.

The study evidences that there were 36 deaths of people with learning disabilities during the first wave, and the SLDO's position has been to be cautious in interpreting the data, due to the very low numbers involved. However, I want to stress that I absolutely recognise that those figures represent unique and irreplaceable individuals whose loss is mourned by many, and I offer my sincere condolences to all who have lost a loved one.

We understand and recognise the anxiety among the community and the call from SLDO and other charities for all people with learning disabilities to be offered vaccination. We continue to work closely with SLDO to consider the implications of that research and any necessary action, as well as further research.

The Scottish Government will remain guided by the recommendations of the independent Joint Committee on Vaccination and Immunisation, which is advising on a four-nations basis. Our Scottish data supports the conclusions that have already been made available to the JCVI from similar research that was carried out in England and Wales relating to people with learning and intellectual disabilities. However, the JCVI will continue to analyse emerging data, and we will ensure that the SLDO's data is made available to the committee through our chief medical officer.

In the meantime, Scotland's Covid-19 vaccination programme continues to gather pace, led by the JCVI's guidance on vaccination prioritisation. People with Down's syndrome are currently being invited for vaccination during group 4, and people with severe and profound learning and intellectual disabilities and their carers will be offered vaccination during group 6. Our "Roll up your sleeves" campaign encourages everyone who is offered vaccination to get it, as it is the best

way to protect yourself and others from the coronavirus—and to protect the national health service.

In community settings for people with learning disabilities, routine testing is available for all care home staff in Scotland, and we are now using a mixture of testing to allow us to regularly test care home visitors, care-at-home staff and all patient-facing healthcare workers. As of January 18, we have expanded testing to all care-at-home and day services and to all permanent and visiting staff and personal assistants who attend people's own homes and the homes of people who live in residential settings or sheltered housing complexes. Staff who work in adult day centres are also now being regularly tested.

Joan McAlpine: Last year, Public Health England found that people with learning disabilities have a mortality rate that is six times higher than that of the general population, so there is already a body of evidence that that group is vulnerable. As the minister said, people with severe and profound learning difficulties are currently in priority group 6 for vaccination, but people with mild and moderate learning disabilities have no prioritisation, even though the higher mortality rate affects them, too.

The Scottish Commission for Learning Disability has issued a statement saying that the easiest way to protect the group is to ensure that all are prioritised for the vaccine. Will the Government act on the commission's recommendation? More broadly, given the growing amount of research, including the latest research on mortality figures, should people in that group be higher up on the JCVI's priority list for vaccination, especially as they already feature in the green book's table of clinically vulnerable people?

Clare Haughey: The Scottish Government will remain guided by the recommendations of the independent Joint Committee on Vaccination and Immunisation, which is advising on a four-nations basis. It is for clinicians and experts in the JCVI to analyse emerging data and make recommendations. However, we will ensure that the SLDO's data is made available to the committee through our chief medical officer.

Some people with mild and moderate learning disabilities will be eligible for priority vaccination if they have co-occurring underlying health conditions or are over the age of 50, and we are continuing to work with NHS Scotland to ensure that everyone who is eligible for a priority vaccination is invited to receive one.

Joan McAlpine: The statement from the Scottish Commission on Learning Disability points out that general practitioner records might not accurately identify people with a learning disability.

For example, those records do not tell us whether someone has severe or profound learning disabilities, so they might not get the prioritisation that they need.

The commission says that people need clear guidance on what to do if they do not receive a vaccination when they should or if their learning disability is not identified in GP records. The commission's statement also says that reasonable adjustments must be made so that people with a learning disability can receive the vaccine in a community setting if need be. Will the Government act on all those recommendations from the SCLD?

Clare Haughey: We continue to work with health boards to ensure that everyone who is eligible for a priority vaccination is invited to receive one. Local health boards will contact individuals to arrange a vaccination appointment when they are eligible for one. However, if anyone is concerned that they have not received an invitation and thinks that they should have done, I encourage them to contact the national helpline on 0800 030 8013. We continue to review our vaccine delivery strategy on a rolling basis to ensure equitable access for all those who are eligible for a priority vaccination.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): We know that feelings of loneliness and isolation are increasing—especially among people with learning disabilities—as lockdown restrictions continue. The Red Cross report entitled "The Longest Year" states that nearly one in three Scots say that they are not confident about where to go to access mental health support and that almost half say that it is difficult to talk about their problems. What action will the Scottish Government take to ensure that people can access the practical and emotional support that they need?

Clare Haughey: We all acknowledge what Rachael Hamilton has said. People have been feeling more isolated and lonely because of the necessary lockdown restrictions. The Scottish Government provided £445,000 of additional support to national autism and learning disability charities to help them to deliver their critical front-line services, which support people who are struggling as a result of Covid-19. The support included specific funding to Down's Syndrome Scotland for advice on shielding, wellbeing and mental health. There was also funding for Enable Scotland to deliver a programme to tackle social isolation and digital wellbeing and to provide counselling support, which is delivered through PAMIS.

Since the start of the pandemic, we have worked in close partnership with the Scottish Commission for People with Learning Disabilities and People First to create easy-read versions of

coronavirus guidance and information, which is available on the NHS Inform website and at www.gov.scot.

Covid-19

The Presiding Officer (Ken Macintosh): The next item of business is a statement by Michael Matheson on Covid-19. The cabinet secretary will take questions at the end of his statement.

14:12

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): I will take this opportunity to update Parliament on the Scottish Government's approach to international travel and border health measures. I will set out more detail shortly, but I can confirm that, from Monday 15 February, all international travellers who arrive directly into Scotland by air will be subject to a requirement to enter managed isolation.

First, I will provide the latest Covid statistics for Scotland, which the First Minister announced earlier today. The statistics set the context for the action that we consider to be necessary on travel and border controls. Yesterday, 822 positive cases were reported. That represents 7.2 per cent of all tests that were carried out. There are 1,618 people in hospital, which is a decrease of 54 from yesterday. There are 112 people in intensive care, which is four more than yesterday.

I am sorry to confirm that, in the past 24 hours, a further 58 deaths were registered of patients who first tested positive over the previous 28 days. As a result, there have now been 6,501 deaths under that measurement. I extend my sympathy and condolences to everyone who has lost a beloved member of their family or a friend.

Those numbers are still much higher than we would like, but they show that this wave of the pandemic is starting to recede.

At the same time, vaccine deployment continues at pace. We expect to exceed 1 million total vaccinations in Scotland this week. As of 8.30 this morning, 928,122 people in Scotland have received their first dose of the vaccine. Those encouraging signs help to explain why, in the Scottish Government's view, stronger restrictions on international travel are needed.

The Covid-19 Genomics UK report on genomic sequencing shows the role that international travel played in the rise in cases last summer. Around 40 per cent of new lineages in Scotland identified in that analysis came directly from overseas through international travel. The rest came from elsewhere in the United Kingdom.

We also know that the nature of the risk from international travel has changed. We face a different challenge in variants of the coronavirus than we faced last year. Two specific mutations

give cause for concern. That concern is increased because they have emerged repeatedly and independently in different parts of the world.

One mutation is believed to be associated with increased transmissibility, which makes it easier to spread the virus. The second mutation is believed to be associated with resistance to protective antibodies, so that, if someone has already had Covid-19, they could be at risk of reinfection from the variant. That could mean that the vaccines that we are deploying may be less effective against those variants. The variant identified in South Africa has both of those mutations, as does a second variant found in Brazil.

It is vital that we do everything possible to prevent those variants from entering Scotland and gaining a foothold. We cannot risk variants from international travel undermining the deployment of vaccines.

Of course, case numbers still matter. Our border health measures play an important role in suppressing the number of new cases in Scotland, but protecting the vaccines and helping us return to a greater degree of normality in our day-to-day lives is now also a major part of the purpose of the international travel regulations.

The Scottish Government is clear that policy on international travel controls must be guided by expert clinical advice, and that advice is clear. We need a comprehensive approach to restricting international travel.

The Scientific Advisory Group for Emergencies concluded in papers published last week that

“reactive, geographically targeted travel bans cannot be relied upon to stop importation of new variants.”

It went on to highlight

“the lag between emergence and identification of variants of concern”

as well as

“the potential for indirect travel”

to the UK via a third country.

Unfortunately, at present, the UK Government continues to rely on a targeted, reactive approach. That has been what we, along with the other UK nations, have been doing up until now. It has led to additional restrictions on travel from areas at risk from the variants identified in South Africa and Brazil—covering South America, large parts of Africa and countries with close travel links to those regions. It is clear that that approach is no longer sufficient to provide the protection that is necessary. It depends on the ability of the joint biosecurity centre to assess the risk of variants. The JBC will update us on countries subject to those measures next week. However, the key

challenge is the availability of data to inform the JBC’s analysis.

With very limited genome sequencing taking place globally, the data on new variants is unreliable. It is therefore hard to say with confidence, even for the variants that we know about, where the high-risk countries are. That is why the Scottish Government wants a comprehensive approach to managed isolation.

So, from Monday, we will require all international travellers who fly directly into Scotland to enter managed isolation. That goes further than the measures announced by the UK health secretary earlier today. The UK Government has committed to adopting managed isolation only for travellers returning from red list countries. We know that that is not sufficient, and we have therefore gone further.

We believe that—with some limited exemptions—all international travellers should be required to isolate in managed facilities. The Welsh First Minister has echoed that, arguing that anyone entering the UK should be expected to quarantine.

Our aim has always been to manage international travel on a four-nations basis where possible. We are therefore engaging with the UK and Welsh Governments and the Northern Ireland Executive to agree a joint approach to contracting the transport and accommodation services required for managed isolation. That will involve a common approach to the procurement of hotels and related services, initially in England and Scotland, based on a UK Government contract. That approach will have the flexibility to respond to the different policy direction that we are taking to ensure that all arrivals in Scotland are required to enter quarantine.

Passengers flying to Scotland from overseas will be required to use a common online portal to book and pay for a period of mandatory isolation in a quarantine hotel. That booking system, operated by the UK Government, will go live on Thursday. We have identified six hotels close to Aberdeen, Edinburgh and Glasgow airports, with a combined capacity of 1,300 rooms. The cost to the first traveller in a room will be £1,750, with supplementary costs for additional family members.

Those costs will include a mandatory testing regime: we will require all arrivals to be tested on day 2 and day 8 after their arrival. That will be organised at first through the UK testing programme, with the intention of quickly moving to using private sector testing provision. The Lighthouse lab has the capacity to meet the need for testing that would be caused by current levels of travel. We will develop a managed isolation

welfare fund for travellers who may struggle to meet the charges associated with quarantine.

We have been in touch with the airports. Transport Scotland officials briefed Edinburgh, Aberdeen and Glasgow airports over the weekend, and the connectivity minister, Paul Wheelhouse, is discussing managed isolation with Scottish airports as I speak.

The number of travellers coming directly to Scotland is reducing, and I expect the quarantine measures to reduce arrivals further. There were approximately 1,600 arrivals in the final week of January, but that fell to only around 730 in the first week of February. However, the number of people arriving via other hubs is rising. Passengers who enter England from red-list countries and who intend to travel on to Scotland will have to isolate in a hotel in England. Last week, there were 130 such travellers.

We continue to press the UK Government to adopt a more comprehensive approach and to require all arrivals to go into a quarantine hotel. We ask the UK Government to work with us to identify any international travellers who are not caught by the current approach, so that arrangements can be made for them to isolate in a quarantine hotel, in line with policy in Scotland.

The measures will be backed up with the introduction of new criminal offences. Those will add to the powers that enforcement bodies already have at their disposal, such as the offences of culpable and reckless conduct.

We are working closely with Police Scotland, Border Force and other justice partners on implementing a range of offences and penalties to support the managed isolation policy and aid compliance. Of course, no non-essential international travel is allowed at present. It is important that people adhere to these rules. We will continue to keep them under review and to consider whether we need to do more to protect our communities from the risk of importation.

There will be some exemptions from the requirement to isolate in managed facilities. However, many exemptions will require travellers to self-isolate at home or in their own accommodation. They will be able to leave isolation only for the essential work that they are here to do. A small number of arrivals will not be required to isolate; for example, those in essential supply chains for goods coming into Scotland, foreign diplomats and those in essential defence activities. We are also tightening some of our existing exemptions further. That will include limiting overseas training for elite sportspeople to athletes and coaches preparing for the Olympics and Paralympics.

The number of international travellers coming into Scotland has fallen significantly. Non-essential travel remains unlawful and the majority of arrivals right now are required to self-isolate at home. The stronger approach that we are taking is necessary and proportionate. I expect tougher restrictions to lead to a further reduction in travel numbers.

As transport secretary, I understand the impact that these vital measures to protect Scotland from the virus will have on the aviation sector. There is a role for the sector to play, and we will work closely with airlines and airports to ensure that passengers are conveyed safely and securely at all stages of their journey. We are supporting the sector, including by maintaining our package of business rates relief for airports. However, given the challenges that the aviation sector in Scotland is facing, I intend to build on our existing engagement and create an aviation working group. It is important that the group meets the needs of the sector, so we will work with our industry stakeholders to refine its scope.

We have had to make many difficult decisions in the course of this pandemic, and this one is no different. It is clear that to manage the risk of the importation of new variants and give vaccine deployment the best chance of bringing us closer to normality here in Scotland, we have to place further limitations on international travel. In order for those to be as effective as possible, I will continue to encourage UK ministers to match our ambition and help protect Scotland and all of the UK.

The Presiding Officer: Thank you. We move now to questions. Graham Simpson is first, then Colin Smyth.

Graham Simpson (Central Scotland) (Con): It would be normal at this point for me to thank the cabinet secretary for advance sight of his statement, but it arrived just minutes before he got to his feet, which is unacceptable.

However, I am delighted that the Scottish Government's vaccine roll-out has speeded up. Progress could have been faster, but we are pleased that the pace has finally picked up.

The cabinet secretary has given us some information today about new quarantine measures for people arriving in Scotland. Airports need to be fully on board and to understand what is expected of them, but until today—as we have heard—no minister had been in touch with any airport about the plans. I therefore have a few questions for the cabinet secretary.

Why did ministers not engage with the airline sector at an early stage? Is there a UK agreement to contract transport and accommodation yet? Have any hotel rooms been procured? Other than the business rates relief that has already been

announced, when will sector-specific support be available?

Michael Matheson: Let me deal with Graham Simpson's first point. I apologise to members for the late arrival of my statement. A combination of my appearing at committee and dealing with a number of weather-related issues prevented my being able to finalise it and distributed it to members.

During the past year, I have had very regular extensive discussions with airports, airlines and aviation-related businesses on a wide range of matters that have been progressed. Graham Simpson will acknowledge the complexity of the procurement process that has had to be put in place, and the complexity of operationalising provision of managed-isolation hotels. Because of the four-nations approach that we have taken, that has taken longer than we all would have liked it to take.

Having settled on an agreed approach, which is being progressed, we are now informing the aviation sector exactly how that approach will be rolled out. That is happening right now—Paul Wheelhouse is in discussion with Edinburgh Airport Ltd and AGS Airports, to take them through the process.

In relation to the UK agreement for transportation and accommodation, I can advise Graham Simpson that through the UK Government contract that we are using in partnership with it, for the purposes of delivering managed isolation for 15 February, all the hotel accommodation that will be block booked by the Scottish Government has been identified. We have given details of that to the UK Government in order to ensure that that accommodation is put in place through its contract. Work is being progressed by civil servants to ensure that it is in place for next week.

In Graham Simpson's final question, on business rates relief, he gave the impression that we have given just business rates relief and that is about it—that we have done nothing else. I gently point out to him that, in Scotland, we have provided business rates relief to the aviation and airport sectors, but the UK Government has not.

We have repeatedly told the UK Government that it needs to show greater commitment to supporting the wider aviation sector in the whole of the UK. To date, it has failed to do that. However, I assure Graham Simpson that we will continue to provide the sector with rates relief, as we have said, for the first three months of the next financial year and that we will continue to press the UK Government to provide a package of support to assist the aviation sector across the UK through what is a challenging and difficult time for it.

Colin Smyth (South Scotland) (Lab): A year ago, the World Health Organization said that the key to tackling Covid-19 was “test, test, test”. In response, the Scottish Government has been slow, slow, slow. It has been slow to introduce airport testing, having voted against Labour's calls for that in Parliament five months ago. It has been slow to introduce a quarantine system that is properly enforced—at one point, just one in 10 people arriving at Scotland's airports was receiving a follow-up check—and it has been slow to provide support to a civil aviation sector that is, frankly, haemorrhaging jobs, and we still have no sign of any sector-specific support.

The lack of consultation of Scotland's airports ahead of the statement probably suggests that the final details have still not been fully worked out. Why has it taken 10 months from the first lockdown to introduce airport testing and a quarantine regime that will be properly enforced? Will the cabinet secretary explain in detail how we will avoid passengers circumventing the isolation regime by flying via countries that are not effectively covered by the red list in England, landing at airports in England, then travelling to their final destination in Scotland? Have detailed proposals been agreed with the UK Government so that, for example, anyone arriving at Manchester airport or Heathrow must isolate—and is provided with details of that—at the point of arrival at Manchester, London or wherever else?

I ask the cabinet secretary again whether the Government will give serious consideration to providing sector-specific support for aviation. We have seen other areas being provided with such support, but the aviation industry will be haemorrhaging jobs for some time to come.

Finally, what plans will he put in place—

The Presiding Officer: Mr Smyth, you have asked about four questions already.

Colin Smyth: Okay. I am sure that the cabinet secretary will give four good answers.

Michael Matheson: I always do, Presiding Officer.

I will first address Colin Smyth's general comments on international borders. It is fair to say, if we look back on the course of the past 10 months, that one area in which the Government collectively regrets that more robust action was not taken, following the first wave of the coronavirus last year, was in application of stricter restrictions on international travel and the risks that are associated with it. That is true not only here, in Scotland, but across the UK and, broadly, across Europe.

That is why we are determined to take as much action as we can, within our powers, to help to

minimise such risks, this time round. As the First Minister has said on a number of occasions, we will not always get everything right, but where we think that we can do things better and can learn from the past we will always ensure that we do so. That is the approach that we are taking on international travel.

Colin Smyth also referred to the challenges that are faced by the civil aviation sector. I am sure that it will not be lost on him that Scotland was the first—and only—part of the UK to offer business rates relief to the sector at the very outset of the pandemic, in recognition of the marked impact that the pandemic would have on it. We will continue to do everything that we can do. However, the reality is that many major aviation businesses that operate in Scotland are not based here, so they are outwith our direct jurisdiction. That is why it is essential that the UK Government puts in place a package of support for the civil aviation sector, as we move forward.

I want to pick up on Mr Smyth's point about individuals who travel into English airports from overseas, but not from red-list countries, who then travel on to Scotland. That is an issue that we are discussing with the UK Government. The system would work better if we were to have a comprehensive approach across the UK. I know that Mr Smyth's colleagues at Westminster have been arguing for such an approach, and we continue to press the UK Government to introduce it. That would reduce the risk of anyone seeking to circumvent arrangements that we put in place here in Scotland.

However, we ask the UK Government, if we are not able to achieve that, to work with us to identify people who come into English airports then travel on to Scotland, in order that we can ensure that they are assigned quarantine hotels in England for the purposes of their managed isolation for 10 days, in line with Scottish Government policy. We do not yet have agreement from the UK Government on that, but we will continue to pursue that with it, because that approach will help to reduce further the risks here.

I say to Mr Smyth that we will do everything that we can to support the aviation sector. However, as he will recognise, there are limitations to what we can do directly here in Scotland, given the UK and international nature of such business, which is why the UK Government needs to introduce a support package.

Alex Cole-Hamilton (Edinburgh Western) (LD): In the past few minutes, I have received correspondence from the operators of Edinburgh airport, which is one of the biggest employers in my constituency. It has informed me that it received notice and details of the plan only as the cabinet secretary got to his feet, some moments

ago. Does he feel that that is an appropriate approach to involving the aviation sector, especially as airports will have to play a key role in the delivery of the system—not least in the safe disembarkation of passengers and their delivery to the quarantine hotels?

Michael Matheson: We indicated our intended direction of travel and its implications to the operators of Edinburgh airport and others in the aviation sector last week. I am sure that Mr Cole-Hamilton will recognise that, on such an important issue, which will have an impact on so many individuals, whether they be travellers or workers in the aviation sector, it is my responsibility first to come and explain matters to Parliament and to set out the Scottish Government's approach. That is why, at the time of making my statement, we arranged to meet representatives from the airports to provide them with a much greater level of detail.

The member can be assured that our first line of responsibility here is to the Parliament, in explaining these matters, and that we will continue to work with the aviation industry to ensure that it is provided with the relevant information so that we can deliver this next week, once we move to implementation of the managed quarantine arrangements.

Patrick Harvie (Glasgow) (Green): I thank the minister for the statement. Personally, I am glad that it was announced to the Parliament first, rather than going to vested interests before the Parliament was informed.

I welcome the moves that are being made to introduce additional measures for the immediate period ahead, but the statement did not say very much about the longer term. Will the cabinet secretary rule out the idea—which has been touted elsewhere—of vaccine passports, which would carry a risk of continued transmission of new variants as they emerge and would also risk establishing a principle that people's civil rights are dependent on their medical history?

Michael Matheson: I am grateful to the member for his comments. He referred to our longer-term approach, specifically in reference to vaccine passports. I do not believe that there is a need for the use of vaccine passports at present. In my view, they are not an adequate replacement for the protection that we get from a managed quarantine programme and from ensuring that individuals are being tested prior to arrival in the country and tested again once they have arrived in the country.

It is possible that, at some point in the future, vaccine passports might have some part to play. However, I recognise that some civil liberties issues would have to be addressed before that could happen.

In short, I do not believe that vaccine passports have a role to play in the short to medium term. In the longer term, they may have a part to play, but some civil liberties issues need to be addressed before a vaccine passports programme could be rolled out nationally or internationally.

Joan McAlpine (South Scotland) (SNP): I very much welcome the cabinet secretary's statement and the Scottish Government's comprehensive approach. However, I want to raise a constituency issue. The Camphill community, which is a presence at Loch Arthur, in my South Scotland constituency, relies on young volunteer health and social care workers coming from Europe. The community has written to me, pointing out that its volunteer model is already being hit very hard by Brexit and that it is concerned that its volunteers would not be able to meet the cost of hotel quarantine, which would mean even fewer volunteers.

As I say, I welcome the quarantine measures, but can the Government say how they will affect charities such as Camphill, and is any sort of financial mitigation possible?

Michael Matheson: First, I say to anyone who is considering travelling internationally or even domestically that, right now, they should be doing so only for absolutely essential reasons. The law is very clear on that matter.

In relation to the impact that some of the costs could have on organisations in the charitable sector, where individuals are coming into the country for essential purposes, we are establishing a welfare fund to address some of the financial needs that individuals may face, given the costs that are associated with that. I hope to be able to set out more details of how that will operate in the coming days. I undertake to ensure that, as we move forward this week with more details on the welfare arrangements and the other arrangements for operationalising the policy, I will write to all MSPs, setting out that process and the routes that they can go down in order to get further information or more clarity on points that they may want further information on.

Jamie Halcro Johnston (Highlands and Islands) (Con): What discussions has the Government had on the potential impact of the increased restrictions on Scotland's regional and local airports—including many across my region—and the airlines that maintain lifeline links with some of the most remote communities?

Michael Matheson: With the exception of Inverness airport, most of the Highlands and Islands Airports Ltd airports operate only domestic flights, and the restrictions on essential travel are having more of an impact on domestic flights. That is why we are providing financial support to

Highlands and Islands Airports Ltd and to Loganair, to help to maintain essential connectivity to our island communities.

I recognise the member's point about how critical the issue is to some of our most remote communities in Scotland. He can be assured that we will continue to offer what support we can to maintain those lifeline aviation services, which are critical to rural Scotland.

Kenneth Gibson (Cunninghame North) (SNP): Many of us have close family living overseas. For example, thanks to the union dividend, my twin sister lives in Canada. Tragedies—often sudden ones—can affect anyone, and some faiths prioritise speedy committal. Therefore, will flexibility be considered for people who are flying in for the funeral of a sibling, parent, son or daughter?

Michael Matheson: We are considering including that in the exemption regime that will be associated with the managed isolation provisions. The member will recognise that we are keen to restrict the extent of the exceptions that apply in the policy, because, if there are too many, the accumulation can undermine the policy intent. However, we are considering issues of compassionate grounds, and those will be dealt with in the final regulations that we will introduce to Parliament later this week.

Sarah Boyack (Lothian) (Lab): Given that our airports have now been operating in an extremely uncertain world for a year, what work is being done to develop a recovery plan for them? In particular, what work has the cabinet secretary initiated to ensure that we retain the direct flights to Scotland that have been introduced in recent years, given the likelihood of smaller fleets all round?

Michael Matheson: I have commissioned officials to take forward work on two elements of that. One relates to what the recovery will look like in the aviation sector and what we can do to support the sector with its recovery. The second element is consideration of route recovery directly. That involves considering what support we can provide to assist with the recovery of some of the routes that we have lost.

Sarah Boyack makes the important point that there has been a significant reduction in fleet size and capacity in the airline sector; therefore, competition to recover some of the routes will be greater than the competition in the past. That is why I have commissioned officials to consider how we can develop a recovery programme that assists us by prioritising the routes that we want to target for re-establishment when we can do so. Officials have already started an early piece of work on that, and they have discussed the issue

with the airports on several occasions. We will also look at the wider recovery in the aviation sector as part of a working group that will consider some of the wider challenges in the months ahead.

Annabelle Ewing (Cowdenbeath) (SNP): In drawing up the exemptions regime that the cabinet secretary referred to a moment ago, what thought is being given to those who need to work abroad but do so on rotation—that is to say, some weeks in a third country and some weeks on home leave? Will such Scottish workers be required to quarantine in a hotel each time, at not inconsiderable expense, or will self-isolation at home be considered as an alternative?

Michael Matheson: We are considering a couple of areas in relation to exemptions. I will pick up on the general point that the member is making with specific reference to the oil and gas sector, where staff very often work on rotation. We are giving specific consideration to the way in which any exemption would operate for the oil and gas sector, including whether the option of self-isolating at home during the period of leave would be more appropriate than managed isolation in a hotel. We are actively considering those matters. We are seeking to align with the approach in other parts of the UK in order to simplify the process as much as possible. I assure the member that the issue is actively being considered.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Has the Scottish Government carried out modelling of the economic impact of the quarantine measures? Has modelling been carried out in the event that the coronavirus continues to mutate?

Michael Matheson: The approach that we are taking in relation to managed isolation is based on clinical advice. The advice is clearly that, if we do not manage international travel into Scotland and the UK much more effectively, we run the risk of importing further variants of the virus, which could undermine the progress that we are making with our vaccination programme and with suppressing the virus here, in Scotland. It is clear from the joint biosecurity centre's assessment that the existing regime is no longer fit for purpose and that a comprehensive system will be much more effective.

I would not ignore the significant economic impact of such measures on sectors in Scotland, especially the aviation sector, but we are trying to balance the competing challenges of the situation that is faced by the aviation sector in relation to international travel and our desire to get some level of domestic normality in Scotland by reducing the risk of importing new variants of the virus. A balance must be struck, and we are trying to do that in a way that helps to get normality back in

Scotland as quickly as possible, which will help to support our economy to return to normal.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I note from the cabinet secretary's statement that 40 per cent of new lineages of the virus come to Scotland from overseas international travel, which means that 60 per cent come from elsewhere in the UK. What more can be done to reduce that worrying 60 per cent figure?

Michael Matheson: Christine Grahame raises an important issue. The first thing that people can do is comply with the regulations, which means not travelling unless it is absolutely essential. That applies to travel between Scotland and England and travel within Scotland. If people stick to the rules, that will help all of us to suppress the virus much more effectively.

I can tell Christine Grahame that, as ministers in the other devolved nations have done, I have raised the issue of the existing arrangements across the common travel area—that is, England, Scotland, Wales, Northern Ireland and the Republic of Ireland—and the risk of importation and transportation of the virus across those common borders. Among the issues on which we are seeking to make progress is how we can help to reduce the risk of the virus being transported across different parts of the common travel area.

Discussions are taking place on a four-nations basis, and I understand that the UK Government is engaging with the Irish Government specifically on measures that could be introduced to reduce that risk further. It is an area that is being actively considered and on which we would like further progress to be made. We are looking at what measures can be put in place, and I can assure Christine Grahame that, if we are in a position to do more on that, we will take appropriate action.

Alex Rowley (Mid Scotland and Fife) (Lab): My heart goes out to the families of the 58 people who have died of Covid over the past 24 hours. Given that there have been 6,501 deaths from the virus in Scotland, I am sure that Michael Matheson will understand why older people, in particular, are terrified of it. Therefore, I must raise with him the absolute chaos that ensued yesterday around vaccine centres in Fife, where older people were left queueing in the freezing cold for up to two hours, only for some of them to be sent back home.

Why are people over the age of 70 in rural Fife not able to do the same as people over 80—access their local general practitioner practice or health centre to get the vaccine? I am told that the reason for that is that it is cheaper to do it through the hubs. Does the cabinet secretary accept that, regardless of whether it is cheaper, it is not

practical for old people to be told that they must get on two buses in order to reach a vaccination centre?

In addition, I am told that the Government told NHS Fife to cut the time for vaccination from seven minutes per vaccination to three minutes per vaccination. I understand that we want to get people vaccinated, but we cannot have such chaos. Will the cabinet secretary agree to look at what the issues are in Fife and get them sorted as soon as possible?

The Presiding Officer: Thank you, Mr Rowley. That question might be better put to Jeane Freeman, the Cabinet Secretary for Health and Sport, who will be taking an urgent question on that very matter shortly. However, the Cabinet Secretary for Transport, Infrastructure and Connectivity may wish to give a brief reply.

Michael Matheson: I recognise the concerns that Alex Rowley has raised and I know that NHS Fife has apologised for the error that was made yesterday with its booking arrangement. As the Presiding Officer rightly pointed out, an urgent question is due to be answered on that very matter following my statement, and the Cabinet Secretary for Health and Sport has indicated that she will seek to address the points that Mr Rowley has raised.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): The cabinet secretary mentioned a moment ago the four-nations or five-nations discussions that he is having with the UK Government and the Welsh and Irish Governments. What do we need to do to ensure that folk who land somewhere else in the UK and travel up to Scotland comply with the quarantine? Who will monitor that?

Michael Matheson: The most effective way for managed isolation to operate is for individuals to go into a quarantine facility at their point of arrival into the country and not at the end of their journey within that country. We have made the point to the UK Government that, given the policy approach that we are taking here in Scotland, we would like all individuals who come into the UK and whose final destination is in Scotland to go into managed isolation hotels. That would require the UK Government to implement our policy at the airports that will be entry points within England.

To date, we do not have agreement on that matter, but I assure the member that we are continuing to pursue it with the UK Government because it would assist us greatly in ensuring that we reduce the risk of the new variant being introduced to Scotland.

Notwithstanding that, I strongly believe—on the basis of all the clinical advice that I have read, the assessment that came from COG-UK and the joint

biosecurity centre's assessment of the matter—that the most effective way for the whole of the UK to reduce the risk of new variants being introduced to Scotland and the rest of the UK is through a comprehensive, managed quarantine system across the whole of the UK. I still believe that that is the best thing that the UK Government could put in place to address some of the wider concerns that we have about individuals arriving at airports in England.

Alexander Stewart (Mid Scotland and Fife) (Con): Scottish airports will need to transport passengers from aircraft to their quarantine venues. I ask the cabinet secretary to confirm how those transfers will take place and who will carry them out.

Michael Matheson: That is part of the contract that has been taken forward and is being implemented across the four nations. The arrangement will be that, at the point of arrival, those individuals who require to go into self-isolation hotels will be transported to the hotels that they have been allocated to. The process will start at the point of arrival and will run right through to the point of the person being transported to the managed isolation hotel. That will all be part of a comprehensive package that is being put in place as part of the contract arrangements.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I welcome the cabinet secretary's announcement of supervised quarantine, as we have seen that it is a successful measure that helps to tackle the spread of Covid-19 in other countries.

How will the Scottish Government engage with accommodation providers to ensure that appropriate infection control measures are maintained to the appropriate high standard consistently and at all times within the hotels that will be booked?

Michael Matheson: The specification for the hotels sets out a range of measures that they have to put in place, including items that relate to the hygiene standards and security that need to be maintained in the facility.

The arrangements in the hotel will be that the individual will be allocated a room and they will not be able to mix with other guests. In their room, they will be provided with their meals, drinks et cetera as part of a complete package of measures, and the tests will be carried out during their period of isolation. All the arrangements that the hotels need to have in place are part of the wider contract that they must comply with.

I suspect that, as with the introduction of any complex arrangement such as this one, there will be some challenges at the start. There may be

some areas where improvements will be needed or we may have to smooth out some initial difficulties. However, the contract seeks to address all the issues and ensure that both the hygiene standards and the arrangements for security and the isolation of those who are residing in the hotels will be maintained appropriately.

Urgent Question

15:00

Covid-19 Vaccination Centres (Delays)

Willie Rennie (North East Fife) (LD): To ask the Scottish Government what the causes were of the reported delays at vaccination centres in Fife and Tayside on 8 February, and what is being done to ensure that they are not repeated.

The Cabinet Secretary for Health and Sport (Jeane Freeman): Let me start by apologising to all those who were affected by the problems in the NHS Fife vaccine clinics yesterday. The issue, which was specific and restricted to Fife, as I understand it, was the result of an information technology issue with the ServiceNow national scheduling system, which resulted in the overbooking of appointments. This morning, I have written to Fife's MSPs and MPs, apologising, explaining in detail and setting out the action that is under way for those affected.

Urgent work is under way by NHS National Services Scotland to resolve the issue. A permanent fix to the system will be in place by the end of the week; in advance of that, standard operating procedures have been revised to ensure that the issue is not repeated.

NHS Fife is making alternative arrangements to ensure that appointments booked for today and tomorrow can still go ahead. All those with an appointment for today and tomorrow will be vaccinated, with NHS Fife increasing capacity at five of its clinics. The Scottish Ambulance Service is providing additional vaccinators and mobile units, where required. For later appointments that are affected, people will receive a letter tomorrow, rescheduling their appointment. All those who could not be vaccinated yesterday will be called directly.

In NHS Tayside, I understand that throughput was slower than anticipated at the Caird hall clinic due to weather conditions and associated staff and patient attendance, and on-site training. That is being addressed by deploying additional vaccinators and support staff to the clinic.

Despite the difficulties, which were experienced most acutely by those who were waiting to be vaccinated, Fife vaccinated 5,006 individuals yesterday, contributing to the 61,299 people across Scotland who were vaccinated yesterday, which took us to a vaccination level of 99.97 per cent of care home residents, 96 per cent of people aged 80 or over and 75 per cent of people aged 75 to 79 in the community.

Willie Rennie: I thank the health secretary for that genuine apology, but I was disappointed that the First Minister said earlier that nothing was wrong with the vaccination programme. It is wholly unacceptable for people over the age of 70, many of whom have not been out of the house for months, to be left waiting in sub-zero conditions for hours on end. Some waited for four hours for an injection that should have taken minutes. A lady collapsed in Lochgelly. Another, who was just out of hospital with breast cancer, was told to wait for two and a half hours. Why was the problem discovered only when people turned up for their appointment? Why were those 7,000 double-bookings not spotted manually in advance?

Jeane Freeman: There were not 7,000 double-bookings. I am very happy to ensure that Mr Rennie and any other interested colleagues have exactly the right number.

As I said, the situation was not acceptable. I am not sure what more Mr Rennie wants me to say about that. NHS Fife has acted to resolve the problem for those who turned up and did not get vaccinated, and for those who would have been affected today, tomorrow and later in the week had it not been identified.

In essence, what happened, as I understand it—I am no IT guru by any stretch of anybody's imagination—was that, as NHS Fife transferred from local booking arrangements to the national booking portal, there was an issue with the data transfer that was not spotted until the clinics took place.

NHS National Services Scotland, which is our national system service, NHS Fife and the Government are looking at two things right now. They are looking at fixing that so that it does not happen again but, in order to fix it so that it does not happen again, they need to understand why it happened in the first place and why it was not flagged up by the system before people got to the clinics. As they resolve those two matters, I am very happy to ensure that Mr Rennie and other interested colleagues have that explanation. However, I cannot give more detail until those bodies resolve the problem by understanding exactly what the problem was.

Willie Rennie: It was the health secretary's letter this morning that referred to the 7,000 bookings. What I need to understand is how we can be sure, if we still do not fully understand what the problem was, that it will not be repeated tomorrow or the day after. If we move other boards to the centralised system, how do we know that what has happened will not happen to them as well? What lessons have been learned from the events at the Caird hall in Dundee? What advice does the health secretary have for the over-70s in

Fife who have no letter, because the helpline is currently not helping them?

Jeane Freeman: The point that I am trying to make is that the way in which we will ensure that the system is fixed is by understanding exactly what the problem was and why it was not flagged up at the point when it happened as opposed to later, when people were turning up for appointments. Work on that is under way in order not only to fix the system but to ensure that, where problems arise, there are additional flags in the system.

Other boards are already on the ServiceNow platform, and they have been for some time. NHS Fife is one of the late transitioners to it. In fact, all our mainland health boards will be on it by the end of this week. The reason for that is that we need that national booking system in the same way that we need the national vaccine management tool. It allows us to look ahead nationally at the planned bookings against the known supply so that we can manage the two much better. Having everyone on the ServiceNow platform is the right thing to do. The majority of boards are already on it, and the problem has not arisen before.

I think that I have answered Mr Rennie's question in full, but if I have missed something, he should let me know, please.

The Presiding Officer (Ken Macintosh): Six other members wish to ask a question. We will see whether we get through them all.

Claire Baker (Mid Scotland and Fife) (Lab): I think that we can all agree that what happened in Fife yesterday was completely unacceptable. What my constituents want now is assurances that it will not happen again, and they need clear information about how what happened will be resolved and how those who are waiting for appointments who were overbooked this week will get their new appointments. Why has a decision been taken to send appointments in the mail, as we know that there have been delays in the mail? People who are expecting appointments at the end of the week need to know about them soon—why have they not been telephoned? Will the cabinet secretary clarify why NHS Fife has mentioned five sites but the letter that she sent us this morning mentions eight sites and refers to one particular site for the weekend? It would be helpful for MSPs to know what site will be impacted over the weekend.

Jeane Freeman: I apologise to Ms Baker—I missed some of the questions at the end. We will check the *Official Report* and ensure that I answer them.

I have already said that what happened was unacceptable, and I am not sure what more I can say about that. Steps have been taken to identify

what the problem is, to resolve it, to ensure that it does not happen again and to address issues that relate to those who are booked today and tomorrow to ensure that they are vaccinated and are not turned away and kept waiting; those who could not be vaccinated yesterday, who will get a phone call to book them in; and those who might have been affected on Thursday, Friday and into the weekend, for whom alternative arrangements will be put in place.

Notwithstanding the ServiceNow problem, NHS Fife has acted to try to resolve that problem with our help and that of the Scottish Ambulance Service.

I do not want to diminish for one second the upset, difficulty and concern experienced yesterday by people who turned up to be vaccinated, waited in the cold, and were not, in the end, vaccinated. That will have been a very distressing experience.

To everyone else, I say that, in a national programme that is vaccinating 4.5 million people, that is now going faster than those elsewhere in the UK and for which we are creating an infrastructure as we go, there will be glitches and problems. We need to fix those, we need to apologise for them and we need to ensure that they do not happen again. However, we must not use those glitches and problems to undermine the success of the entire programme, which is proving itself right now.

Annabelle Ewing (Cowdenbeath) (SNP): I agree that we are seeing the roll-out of a programme the likes of which we have not seen in our lifetimes, and I commend all those who are doing their bit. However, it remains the case that many of my constituents had a grim day yesterday, queuing outside for the Covid vaccine in the freezing cold at the Lochgelly centre, and then not getting it. A lot of people were not impressed with that, even if we are collectively impressed with the programme.

The key thing now is to focus on there being absolute clarity in the information that the individuals who were affected yesterday, and any more who might be affected this week as a result, get about what will happen now. The cabinet secretary has said twice what is to happen, so NHS Fife should now make that clear to the people who are affected, because it is not—I assure members—clear to them. A phone call might, in the circumstances, be more appropriate than people having to wait for a letter that might, given the post and the weather, be a wee bit delayed.

I therefore make a plea to the cabinet secretary. Those people simply want clarification about the

position, and I am sure that NHS Fife could provide that quickly.

Jeane Freeman: I am grateful to Ms Ewing for her constructive and helpful suggestion. When we are finished here, in the chamber, I will go and make sure that that happens.

Mark Ruskell (Mid Scotland and Fife) (Green): Yesterday's queues followed a winter flu vaccination programme in NHS Fife that was described at the time as "shambolic". Why has Fife been particularly affected by problems with vaccine roll-out? The cabinet secretary said earlier that NHS Fife was "a late transitioner" to the national booking service—[*Inaudible.*]

The Presiding Officer: I am sorry, Mr Ruskell, but we missed the question. Could you repeat it?

Mark Ruskell: Yes. The question is about the cabinet secretary's comment that NHS Fife transitioned late to the national booking system. Why does Fife seem to be falling behind when it comes to flu and coronavirus vaccinations?

Jeane Freeman: NHS Fife was a late transitioner, but it was not the only one, so it is not fair to say that Fife alone is "falling behind". The NHS has made long-standing use of ServiceNow for other provision. A number of boards transitioned to the national booking system early on during the vaccination programme, and the final boards to do so, of which NHS Fife is one, will be transitioning this week. That is partly because boards wanted to be able to make local arrangements for early delivery but knew that my overall objective was that all would go on the national platform, for all the good reasons that I have already outlined. NHS Fife is one of the last to go on to the service; it is not alone. Other boards are joining it this week, and, by the end of the week, all our mainland boards should be on the national service platform.

Donald Cameron (Highlands and Islands) (Con): Many elderly people who are housebound should have received their vaccination but still have not. They are feeling abandoned and forgotten, according to some general practitioners. Does the Government accept that that is a significant failing of vaccination roll-out? What is being done to remedy the situation?

Jeane Freeman: Mr Cameron keeps looking for significant failings, but that is not one. I have asked all boards to update me on where they are on the matter. It is, rightly, general practices and primary care that will vaccinate people who are housebound. They are working their way round those people and are making considerable progress. I have no doubt that they will complete that as quickly as possible.

Alex Rowley (Mid Scotland and Fife) (Lab): I believe that most people want the vaccination programme to succeed; I certainly do. However, when the over-80s were being done in Fife—which we should remember is a particularly rural area—they got their jab at their local health centre or GP surgery. That worked wonderfully. Why shift it for the over-70s? The reason—[*Inaudible.*]*—*cabinet secretary is that the cost is far cheaper if people go to the hub. However, over-70s might end up waiting in the freezing cold, as they did yesterday. I am also told that the choice of venues is not great and that there is a lack of social distancing and sanitisation. Those people still have to get their second jab, so will the cabinet secretary agree to look at the matter again and treat the over-70s in the same excellent way as the over-80s were treated, so that they can be vaccinated in a safe environment?

Jeane Freeman: I am grateful to Mr Rowley for his questions and have no doubt about the sincerity of his hope that the national vaccination programme will succeed. He and I share that hope.

The shift was, and is, not at all about cost. I have no reason to doubt Mr Rowley, so I will investigate urgently whether the clinics have in place sufficient protection measures in terms of physical distancing and sanitisation. If they do not, I will make sure that that is resolved.

In many of our boards, 75 to 79-year-olds have been vaccinated through GP clinics. I undertake to look again at whether NHS Fife could do that. However, it then becomes a question about pace. If we do it through individual GP practices, excellent though they are, the speed with which they can vaccinate numbers of people at the same time as maintaining standard GP services, which we want them to do, is slower than when people go to clinics—even small ones.

Members should remember that we are, because of the protection level that it brings, trying to vaccinate the largest possible number of people as quickly as we can, as supplies allow. There is a balance to be struck between the safe and right way to do something and the quickest way to do it. I repeat that the decision is absolutely not about cost. I will look again at whether something can be done in relation to second doses—we will talk with NHS Fife and other boards—but we must also remember that the balance has to be struck between moving as quickly as we can, as supplies allow, and making vaccination as local and accessible as possible. The two do not always sit neatly together.

The Presiding Officer: I apologise to Neil Findlay, but we have to move on to the next item of business. There will be a short pause before we do so.

Malicious Prosecutions

The Deputy Presiding Officer (Lewis Macdonald): The next item of business is a statement by the Lord Advocate, on malicious prosecutions. The Lord Advocate will take questions at the end of his statement, so there should be no interventions or interruptions.

15:19

The Lord Advocate (James Wolffe): Thank you, Presiding Officer. I am grateful for the opportunity—[*Inaudible.*]*—*I am sorry about that sound issue, Presiding Officer.

I am grateful for the opportunity to make a statement following the disposal last week of the actions that David Whitehouse and Paul Clark brought against me. Those actions concerned events that predated my appointment as Lord Advocate, but it was and is my responsibility, as the current incumbent, to account for them. The on-going proceedings that relate to the matter constrain what I can say today, but I welcome the fact that I am now free to begin the process of public and parliamentary accountability and to reiterate the commitment that the Crown has given to that process.

The prosecutions that gave rise to the cases arose from police investigations into the purchase of Rangers Football Club by Craig Whyte in 2011 and into the administration of the club and its sale to Charles Green in 2012. The investigations were large and complex. Ultimately, seven individuals were prosecuted. This statement concerns only the position of Mr Clark and Mr Whitehouse.

On 14 November 2014, Mr Clark and Mr Whitehouse were detained and brought to Glasgow. They were held in custody before appearing in court on 17 November on a petition that contained charges that related to Mr Whyte's purchase of Rangers. That started the clock for a statutory time bar that, unless extended, required the Crown to serve an indictment in respect of the charges by 16 September 2015.

In High Court cases, after an accused has appeared on petition, the Crown undertakes a process of investigation and analysis that is called precognition. When it is completed, the precognition contains a detailed narrative of the evidence and an analysis of whether the evidence is sufficient to support criminal charges.

The precognition is submitted to Crown counsel for a decision on whether to issue an indictment. Precognition is not a statutory requirement, but it is a long-standing, routine and essential feature of Crown practice in relation to High Court cases. It provides assurance that there is a proper

evidential basis for the indictment and, along with Crown counsel's instruction, it provides a record of the basis for the decision.

This case was exceptional in its scale and complexity. By early September 2015, with the expiry of the time bar approaching, the precognition process was incomplete and essential investigations were still on-going. On 3 September, the Crown applied to the court for a nine-month extension of the time bar; the sheriff granted a three-month extension. An appeal by Mr Clark and Mr Whitehouse against that extension was refused. In the meantime, on 2 and 3 September, Mr Clark and Mr Whitehouse appeared in court again on a second petition that contained new and separate charges that related to the second matter that the police had been investigating—the administration of Rangers and its sale to Charles Green in 2012.

On 16 September 2015, Mr Clark and Mr Whitehouse, with five other accused, were indicted. The charges against them derived from the November 2014 and September 2015 petitions. At that time, the precognition process in relation to the November 2014 petition was still incomplete and there was, demonstrably, no precognition in relation to the September 2015 petition, which had only just been initiated. Essential investigations were still on-going in respect of the charges that derived from the November 2014 petition, and there was evidence available that was—objectively—obviously inconsistent with the charges against these two accused that derived from the September 2015 petition.

On 2 December 2015, a second indictment was served that superseded the first. At a preliminary hearing in February 2016, following legal argument, Crown counsel withdrew certain of the charges. On 22 February, the judge dismissed the remaining charges against Mr Clark and Mr Whitehouse. Crown counsel advised the court that consideration would be given to a further indictment against them. A Crown Office press statement that was issued that day indicated that a fresh indictment would be brought, but that was corrected by a further statement the following day.

On 25 May 2016, the Crown advised Mr Clark and Mr Whitehouse that there would be no further proceedings against them. On 3 June 2016, Crown counsel formally advised the court of that position.

In August 2016, Mr Clark and Mr Whitehouse initiated civil actions against me—I had been appointed on 2 June 2016—to seek damages on the grounds of malicious prosecution and breaches of articles 5 and 8 of the European convention on human rights. They also advanced

claims against the chief constable of Police Scotland.

I advanced a defence that relied on established legal authority that the Lord Advocate is immune from common-law liability. That defence was upheld at first instance, but, in October 2019, the inner house of the Court of Session overturned the previous legal authority and allowed the claims to proceed.

On 20 August 2020, I admitted liability to Mr Clark and Mr Whitehouse. Those admissions followed the conclusion of a very substantial and lengthy investigation that was undertaken by the legal team, including external counsel, instructed on my behalf. As a result of that investigation, I concluded that the decisions to place Mr Clark and Mr Whitehouse on petition in September 2015 and to indict them were indefensible in law.

I concluded that those decisions proceeded without probable cause—that is, without a proper evidential basis—in circumstances that met the legal test for malicious prosecution. That legal test can, in certain circumstances, be met even though no individual had malice, in the popular sense of a spiteful motive. My acceptance of liability in this case did not depend on any individual being malicious in that popular sense.

I cannot, at this time, disclose in detail the basis upon which liability was admitted, but, when it is free to do so, the Crown will disclose the basis for those admissions in full—including to this Parliament. What I can say is that there were, in this case, profound departures from the normal practices, including precognition, that are designed to ensure—and routinely do ensure—that any prosecution in the High Court has a proper basis.

I also admitted breaches of article 5 in respect of the detention of Mr Clark and Mr Whitehouse in November 2014 and September 2015, and of article 8 in respect of the incorrect press release of February 2016.

After the admissions of liability, mediations took place with both pursuers, and agreement was reached to settle their claims. Each of them has been paid £10.5 million in damages, and, to date, more than £3 million has been paid to them in aggregate by way of expenses. Those two pursuers were very high-earning professional people and the damages paid reflect a reasonable estimate of the loss that they sustained as a result of being prosecuted. I have written to the Justice Committee about the financial implications.

On 24 December 2020, I issued written apologies to each of Mr Clark and Mr Whitehouse. They should not have been prosecuted, and, as the current Lord Advocate and head of the system of criminal prosecution, I apologised unreservedly

for the fact that they had been. I reiterate that unreserved apology publicly to Mr Clark and Mr Whitehouse today.

Although the case involved significant departures from standard practice, lessons have been learned and will continue to be learned. The precognition process has been reinforced, and, in 2018, I established new arrangements for the management and oversight of large and complex cases. Those arrangements are now well established and provide a substantial safeguard against anything like this happening again.

In my JUSTICE human rights day lecture in December 2016, I said this:

“a fair and independent prosecution service, taking decisions rigorously, independently and robustly in accordance with the evidence, is, I believe, essential to the freedom under the law which we enjoy as citizens of this country.”

Scottish prosecutors and the Crown Office and Procurator Fiscal Service have a justified reputation for fairness, integrity and independence. The seriousness of what happened in this case should not obscure the truth that, day in and day out, Scotland’s public prosecutors and the staff who support them fulfil their responsibilities with professionalism and skill. They take hard decisions rigorously, robustly and in accordance with the evidence, and they secure the public interest in the fair, effective and robust administration of criminal justice in Scotland.

In this case, there was a serious failure in the system of prosecution. It did not live up to the standards that I expect, that the public and this Parliament are entitled to expect and that the Crown Office and Procurator Fiscal Service expects of itself.

What happened in this case should not have happened. As the Lord Advocate and head of the system of prosecution in Scotland, I tender my apology to this Parliament and to the public for the fact that it did happen and for the consequent cost to the public purse. I confirm my commitment and that of the Crown to supporting a process of inquiry into what happened in this case once related matters have concluded, and I express my determination that nothing like it should ever happen again.

The Deputy Presiding Officer: The Lord Advocate will now take questions on the issues that were raised in his statement. I intend to allow about 20 minutes for questions, after which we will move on to the next item of business.

Liam Kerr (North East Scotland) (Con): I remind members that I am a practising solicitor, and I thank the Lord Advocate for advance sight of his statement.

There has been an extraordinary catalogue of unexplained and profound departures from normal practices. What is “indefensible”, to use the Lord Advocate’s word, is that, given that the

“decisions proceeded without probable cause—that is, without a proper evidential basis”,

the prosecution was malicious.

Let us be absolutely clear: this was not simple human error or an obscure legal mistake. Rather, our system of prosecution has admitted that it acted with malice in its move to throw innocent men behind bars and destroy their reputations. That begs an obvious question: how many times in Scottish legal history has there been a malicious prosecution?

In any event, I note that the Crown is, crucially, committed to a process of inquiry. Can the Lord Advocate confirm that there will be a fully independent, judge-led public inquiry that demands to know why malicious prosecutions were pursued in defiance of evidence? Will it investigate the actions of the Lord Advocate, his predecessor and all agents who were involved? If not, how on earth can the Crown expect the people of Scotland to conclude anything other than that it is brushing this appalling state of affairs under the carpet?

The Lord Advocate: Given that I have come to Parliament at the first opportunity when I have been free to do so, I hope that nobody would suggest that I could properly be accused of “brushing” anything “under the carpet”. I have committed myself and the Crown to supporting a process of inquiry once related matters have been concluded. Those matters need to be resolved before the process of inquiry can proceed.

On Mr Kerr’s first point, as I observed in my statement, the legal test for malicious prosecution can be met in circumstances even when no individual has malice in the popular sense of their having a spiteful motive. I should make it clear that my acceptance of liability in this case did not depend on any individual being malicious in the popular sense. That is not for a moment to minimise the seriousness of what happened. Quite the reverse is the case; as I observed in my statement, what happened represents a very serious failure in the system of prosecution in Scotland.

I have been asked how many times there has been a malicious prosecution in Scotland. As I emphasised in my statement, a process that is known as precognition is undertaken routinely in High Court cases. That process necessarily involves careful collection, investigation and analysis of evidence. It involves a system of cross-checking and should provide significant reassurance to the public that, in our system of

prosecution, cases are routinely brought on a proper basis.

As I explained in my statement, in this case, that process was incomplete when the case was indicted; essential investigations had not been completed. The normal processes that are routinely followed in every High Court case were not followed, but the public should take reassurance from what I have said that the prosecution system in Scotland is robust, fair and independent, and is one on which they can rely.

Rhoda Grant (Highlands and Islands) (Lab): I, too, thank the Lord Advocate for advance sight of his statement.

This case raises serious concerns. That it was thought that the Lord Advocate was immune from common-law liability would suggest that he should also have been beyond reproach. We imagine that there are, in the system, checks and balances between the police and the Crown Office and Procurator Fiscal Service, with both of them challenging and questioning the activities and evidence in a case. That appears either not to have happened or to have gone seriously wrong in this case, with both being sued by David Whitehouse and Paul Clark.

How could that have happened? Were concerns raised, internally or externally, about the actions of both organisations at the time, especially when it came to light that there was inconsistent evidence?

The Lord Advocate said that the system has been improved, but there cannot be proper scrutiny until we know exactly what went wrong in the first place. Until that happens, how can we expect to restore confidence in the system?

The Lord Advocate: The first thing that I should say is that, at this time, there are continuing live proceedings relating to the matter, which regrettably—I do regret it—constrains what I can say.

I have committed the Crown to engaging fully with public accountability in the matter, and the Crown has committed to making more information available when it is free to do that. That includes the basis upon which liability was admitted in this case and supporting the process of inquiry when it is possible to do that. I hope that that gives some assurance to Rhoda Grant that lessons will be learned and that there will be public understanding of what happened.

Perhaps it is worth noting—I do not say this to minimise, in any sense, what happened in this case—that the court fulfilled its functions in dealing with certain charges and the Crown fulfilled its responsibilities in withdrawing charges and ultimately confirming that no prosecution would

proceed. I do not say that to minimise the significance of a prosecution having been brought without proper basis. However, on those issues the checks and balances in the system fulfilled their functions.

As I explained, there is, in the Crown Office, routinely preparation of High Court cases, which involves cross-checking of cases by staff of the Crown Office and Procurator Fiscal Service initially, and ultimately by Crown counsel, on the basis of there being a full narrative of the evidence and analysis of that evidence. Those processes are designed to ensure that we can be confident—I am confident—that, across the system in Scotland, prosecutions are brought properly and that this case was wholly exceptional.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Can the Lord Advocate reiterate what lessons have been learned and what improvements are being made to ensure that this will never happen again?

The Lord Advocate: The key lesson relates to the management of large and complex cases. As I said in my statement, I have instituted new procedures for internal management and oversight of the particular category of case. The arrangements involve early agreement of the investigation and prosecution strategy; early and continuous engagement with the police; a project management approach to case preparation; a system of case management panels to scrutinise case strategy and to keep under review the progress of the case, with reference to the strategy; and any issues that might emerge being addressed.

All of that aligns with a protocol that the High Court issued in 2018, with my support, in relation to the management of such cases once they are in court. That protocol, again, encourages a proactive approach to the management of such cases.

Murdo Fraser (Mid Scotland and Fife) (Con): The Lord Advocate referred to the payment of £24 million that was made to Whitehouse and Clark, but that sum might well be just the tip of the iceberg, because the report suggests that the total cost of the case could top £100 million, given that there are outstanding cases.

Will the Lord Advocate tell us whether it is correct that, in addition to those payments, Whitehouse and Clark were also given tax indemnities so that, should HM Revenue and Customs pursue them for payment of tax, that demand would be met by the Scottish Crown Office, and that the cost to the Scottish taxpayer will therefore be far higher than the £24 million that has been paid out already?

The Lord Advocate: I acknowledge the significance of the sum involved. Murdo Fraser is correct in observing that, with other cases pending, the cost to the public purse will increase and the ultimate cost is yet to be seen.

The approach that has been taken in settling cases was to make a reasonable estimate of the actual loss that individuals could demonstrate. An arrangement was entered into such that if—it is “if”—they can properly show that they have sustained additional loss of the type that Mr Fraser described, that loss will be borne.

If that happens, the Crown will account to the Justice Committee, as it did last week, for the costs in the cases.

John Mason (Glasgow Shettleston) (SNP): Now that it has been established that the Lord Advocate does not have absolute immunity from civil liability, will the Crown be more cautious in pursuing prosecutions, and will that mean that criminals are less likely to be convicted?

The Lord Advocate: I am determined that any change in the law regarding the immunity of the Lord Advocate should not have that effect. That is one reason why I have put in place measures to strengthen the management of large and complex cases.

It is essential that there is a proper basis for prosecutorial decisions in all cases. As I explained in my statement, the process of precognition that is routinely undertaken in all High Court cases provides confidence and assurance both to prosecutors and to the public.

I have confidence in the robustness of Scotland’s prosecutors. They make difficult decisions every day, in exercising their judgment. I am determined to have in place systems that enable prosecutors to continue to take robust decisions in effective prosecution of crime.

James Kelly (Glasgow) (Lab): The decisions that were made in this case might predate the current Lord Advocate, but they raise serious questions about decision making and accountability within the Crown Office. Serious errors were made. The system failed, and we have been told that the cost to the public purse will be at least £24 million. What other area of the Scottish budget has had to be raided to fund the incompetence of the Crown Office and Procurator Fiscal Service?

The Lord Advocate: As the Cabinet Secretary for Finance told Parliament last week, arrangements have been made so that the cases will not affect the Crown Office’s resource budget or its operational effectiveness. The member’s question would be better directed to the finance secretary.

Liam McArthur (Orkney Islands) (LD): This is a true scandal. In monetary terms, it is on a scale with BiFab and the Ferguson Marine shipyard. The colossal waste of taxpayers’ money runs to tens of millions of pounds. That money could have been spent on supporting businesses during the pandemic, on educational catch-up or on investment in mental health. There might be worse news to come, given that we do not yet know the extent of Police Scotland’s exposure or of the additional cases to which the Lord Advocate referred.

Given that the overturning of the *Hester v MacDonald* decision means that the Lord Advocate can now be held liable for serious errors from the past, what assurance can he offer that there are no other skeletons lurking in the Crown Office closet?

The Lord Advocate: The principal assurance that I can give is the description that I have already given of the routine precognition processes that are carried out in every High Court case.

It is fair to say that this case was wholly exceptional in all sorts of ways—that is the principal answer to Liam McArthur’s question. We have a system of prosecution that has demonstrated robustness, fairness, effectiveness and integrity. This case was a serious falling below the standards that all of us expect of that system, but the very fact that those expectations are so high and that this case has occasioned the justified reaction that it has is a reflection of the high standards that our prosecutors routinely meet, day in and day out, in courts across the country.

John Finnie (Highlands and Islands) (Green): I, too, thank the Lord Advocate for early sight of his statement. This was a serious failure of the system of prosecution, and public confidence in our justice system is vital. Can the Lord Advocate outline what further steps will be taken to reassure a public that might reasonably think, “Wow! If this can happen in such a high-profile case, with all that publicity, what chance do I have against the system?”

The Lord Advocate: The first reason why the public should have reassurance is the point that I made a moment ago to Liam McArthur, that routinely—day in and day out—our prosecution system operates effectively, robustly and fairly, and it is understood and seen by the public to do so. Prosecutors take decisions that, if taken to court, are tested in the independent court and by the examination and cross-examination skill of those who represent accused persons. So, not only are there protections and reassurances to be taken from the well-justified recognition of the integrity and skill of our public prosecutors, but the

public can also have confidence because of the reputation, integrity and skill of the defence bar in testing prosecutions that are brought—and, ultimately, because of our court system, in which any case that is brought to court is tried fairly and independently.

James Dornan (Glasgow Cathcart) (SNP): Having previously been a precognition officer, I am surprised to see that the lack of precognition appears to have been a major failing in this case. Further to your statement, Lord Advocate, can you give some detail to help provide reassurance that the Crown is, indeed, equipped to deal with complex financial crime going forward?

The Lord Advocate: Yes, indeed. The Crown successfully prosecutes thousands of cases every year, including complex financial crime cases. For example, an accused was prosecuted last year in respect of a £12 million Ponzi scheme fraud involving 140 complainers and laundering the proceeds of the crime. He was convicted and imprisoned for 14 years. Serious financial crime cases are dealt with in accordance with the arrangements that I have described for large and complex cases. Those new arrangements, which were put in place in 2018, should give reassurance that such cases will be effectively and properly investigated and prosecuted. In the course of this Parliament, the budget allocation to the Crown Office and Procurator Fiscal service has increased by some 42 per cent. Although that was to deal with a range of pressures on the system, part of that additional budgetary resource has gone to ensure that the new system for the management of large and complex cases can be operated as it is intended to be.

Adam Tomkins (Glasgow) (Con): What happened was completely indefensible, Lord Advocate. I therefore have a simple question, to which I want an answer: was it incompetence or was it corruption?

The Lord Advocate: I have said what I can say about the circumstances. There were significant departures from the normal practices that routinely provide safeguards against what happened in this case. I have made it clear that the admission of liability in this case was not predicated on any individual having subjective malice.

I should also say that the investigation that was carried out into the prosecutorial work on the case did not report any criminal conduct to me. Had it done so, I would have taken action. However, should criminal allegations come forward, that does not preclude their being considered and, if appropriate, investigated. I am putting in place arrangements, including the instruction of external senior counsel, so that such a process can happen if that is required.

Alex Neil (Airdrie and Shotts) (SNP): Do the former Lord Advocate, Frank Mulholland, Police Scotland and the team of prosecutors who worked on the case agree with the current Lord Advocate's decision to pay out millions of pounds of public money on the basis that the prosecution was malicious? Is the Lord Advocate's decision making in this case up to scratch and robust?

The Lord Advocate: I have had to take the decision on the civil action that was brought against me. I took that decision following the conclusion of a substantial, lengthy and carefully considered investigation that was undertaken by the legal team, including a team of external counsel instructed on my behalf. That decision fell to me to take, and it is one for which I stand here and account to the Parliament.

Bill Kidd (Glasgow Anniesland) (SNP): Can the Lord Advocate provide reassurance to victims and witnesses that arrangements have been made so that the settlements that are made will not affect the service that the Crown Office provides?

The Lord Advocate: Yes. A moment ago, I reminded members that the Cabinet Secretary for Finance told Parliament last week that arrangements had been made so that the meeting of the settlements would not have an impact on the resource budget of the Crown Office. Indeed, the budget allocation to the Crown Office this year is significantly larger than it was last year. As ever, that, in part, reflects the commitment of the service to supporting victims and witnesses.

Neil Findlay (Lothian) (Lab): The Lord Advocate admits to a malicious prosecution but says that no one showed malice. That takes political doublespeak to a whole new level. Can the Lord Advocate answer these clear questions? Who is responsible for this expensive fiasco? Who is accountable? Where is the money coming from to pay for it? Those are clear questions. Can I have clear answers, please?

The Lord Advocate: Yes. I proceeded in addressing the case on the basis of the relevant legal tests. As I explained in my statement, the legal test for malicious prosecution—I appreciate that the wrong has that description—can, in certain circumstances, be met even though no individual had malice in the popular sense of the word. That is the basis on which I accepted liability in this case.

In terms of our responsibility, ultimately, in our constitutional arrangements, it is for the Lord Advocate, as head of the systems of criminal prosecution and the investigation of deaths, to answer for the conduct of criminal prosecutions, whether in court—as I do every day in relation to the prosecutions that are brought in my name—or here, in Parliament, as I am doing today. As the

current Lord Advocate, it is my constitutional responsibility to answer to the Parliament for what happened at that time.

I have said what I can say today about the circumstances, given other pending processes. When it is free to do so, the Crown Office will disclose further information.

Gillian Martin (Aberdeenshire East) (SNP):

The Lord Advocate has already given quite a lot of detail, but I ask him to outline what additional steps he will take to support public accountability for and understanding of such cases.

The Lord Advocate: As I have said, as and when the Crown is free to do so, it will disclose further information about what happened in this case. In particular, it will disclose the basis for the admission of liability. I and the Crown will support a process of inquiry once all related matters have been dealt with.

The Deputy Presiding Officer: We have a very brief final question from Graham Simpson.

Graham Simpson (Central Scotland) (Con):

Will there be a fully independent, judge-led public inquiry?

The Lord Advocate: We will debate a motion in the name of Murdo Fraser on that subject tomorrow. In my statement, I have made it very clear that I and the Crown will support a process of inquiry when all other related matters have been concluded. The ultimate form of such an inquiry will be a matter for determination at the appropriate time.

Green Recovery Inquiry

The Deputy Presiding Officer (Lewis Macdonald): The next item of business is a debate on motion S5M-24078, in the name of Gillian Martin, on behalf of the Environment, Climate Change and Land Reform Committee, on its green recovery inquiry.

15:56

Gillian Martin (Aberdeenshire East) (SNP): As convener of the Environment, Climate Change and Land Reform Committee, I welcome the opportunity to highlight the committee's recent report on green recovery and to move the motion on its behalf.

Our inquiry explored the parameters of an effective green recovery from Covid-19 and identified key actions for change, immediate priorities and potential barriers to implementation. We heard from experts and stakeholders, and from people and communities across Scotland who have been adversely impacted by the Covid crisis and who may be more vulnerable to the changes needed to achieve net zero. Their voices were at the heart of our consideration. Many highlighted issues and actions across a broad range of cabinet secretary and committee remits, demonstrating the cross-cutting and integrated nature of a green recovery. I thank everyone who contributed to our inquiry—particularly in the difficult circumstances in which we find ourselves—by providing written evidence, giving evidence remotely as part of committee meetings or engaging in our online outreach work, which took place across the country.

Our report opens with a quote from Christiana Figueres, one of the architects of the 2015 Paris agreement, who said:

“Moments of crisis are always moments of opportunity”.

The Covid-19 pandemic is a global crisis. It has tested the limits of our resilience and, as crises very often do, it has highlighted and, in many cases, exacerbated existing inequalities. It has set a new context for all policy making and will have a fundamental and lasting impact on the ways in which we live, work and travel.

However, as we look to the future and to the processes of recovery, we can see that the crisis has also given us a chance to build a more sustainable, inclusive and equitable society—a chance to address inequalities, empower communities and drive action across Scotland to tackle the health crisis and the crises of climate change and biodiversity loss. A green recovery should do exactly that. It should build a more resilient, just and healthy society and environment. It should take a systems-wide, integrated

approach, and it must transcend sectoral boundaries and Government portfolios. It should also seek to build community cohesion, wellbeing and equality to create a greener, fairer and healthier Scotland now and for future generations.

Scotland has already shown that it can be bold in the face of a crisis. We have seen how a coherent route map, combined with strong leadership and urgent action at scale, can effect the necessary change in our policies and behaviours.

We must be equally bold in dealing with the climate and biodiversity crises and the challenge of ensuring a just transition as part of a truly green recovery.

Key to that approach is strong leadership and the creation of an effective route map for a green recovery, with clear timelines, clear responsibilities for delivery across all parts of the public sector, clear delivery plans for each sector to signpost the way and regular reporting of progress to Parliament and to the people of Scotland.

We need an increased commitment to—and financial resourcing of—actions to deliver an integrated, holistic green recovery, and we need to apply tests to all new and existing policies to ensure that policies and funding are aligned with that recovery. The coming year provides an opportunity to improve public policy alignment, as many policies have been, or are currently, under review.

We also need to tackle the implementation gap whereby solutions have already been identified but not applied. Ways out of the current situation are already in existence. We need to capture and lock in positive behaviours and to build resilience through valuing nature more.

Underpinning that is the need for us to focus on people, innovation, skills and jobs. An overwhelming number of expert witnesses in our evidence sessions pointed to the fundamental importance of skills development. We have called on the Scottish Government to carry out a skills audit and to produce a skills action plan to support the delivery of a green recovery. We have asked that the plan be focused on those who are unemployed, underemployed or at risk of unemployment as a result of the economic crisis and the transition to net zero.

We want those people to be offered meaningful upskilling, reskilling and skills diversification opportunities that will pull people across into low-carbon and environmentally and economically sustainable jobs. We must ensure that there are no gaps, in line with the goal of a just transition that leaves no community behind.

We made a few specific recommendations. Among them is the call for the Scottish Government to establish an enterprise fund to provide financial support, including grants and low-cost loans, to support business models that have emerged as a result of innovation during lockdown.

We want the Scottish Government to prioritise and fund the creation of community work hubs attached to childcare facilities and community spaces and to encourage the public sector to offer unused office space to support communities. We want to ensure that transport budgets and fiscal incentives are targeted at reducing demand for travel by car and encourage the use of active and sustainable modes.

We want spend to be front-loaded on housing retrofits and energy efficiency schemes, and we want the skills and training that are needed for that to be treated as a priority. We want to bring forward a natural capital plan for Scotland and establish a natural capital baseline, with monitoring reports to check progress and to align plans for job creation with the need for nature-based solutions and natural capital enhancement. As I say, a lot of the answers are already out there.

Taken together, those recommendations provide a springboard for the swift action needed to deliver a truly green recovery for Scotland—a recovery where no one is left behind.

I welcome the Scottish Government's very positive response to our report and the fact that it is seeking advice on a green recovery from a range of crucial organisations, including the Climate Change Committee and the just transition commission. I also welcome the fact that the green recovery has been central to the Government's approach to recovery from the pandemic and I welcome the recognition that the green recovery must be embedded in everything that the Government does. There has been a marked change in approach in the past two years, particularly as we have looked at the climate change bill—now the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

I also welcome the commitment to respond to the significant lessons learned from living and working during the pandemic, prioritising quality of life, health, wellbeing and our net zero ambitions.

However, the committee believes that a comprehensive route map is needed to signpost the way. The climate change plan is part of that route map, but it is by no means the only part. Therefore, we would welcome further discussion and a more detailed response to the specific recommendations that we have made in our report.

The committee believes that delivering and scrutinising a green recovery will engage all parts of society and Government, and several parliamentary committees. It cannot be a siloed endeavour at policy level in Government or at parliamentary scrutiny level, as that simply will not work. My committee is already working collaboratively with other parliamentary committees to ensure that the 2021-22 Government budget and the updated climate change plan provide an effective response to the current challenges and set a foundation for a newly energised and inclusive era of action in Scotland.

I started with a Christiana Figueres quote, and I will end with one. She argues:

“If governments put health, nature regeneration and climate action at the core of every decision they make in recovering from this pandemic, we can emerge as a stronger and more resilient society”.

That is exactly what our green recovery report calls for. It calls on us to work collaboratively and innovatively across society to build a more sustainable, inclusive and equitable Scotland. Only by having such ambition today and committing to taking such action now can we build a better Scotland for tomorrow.

I move,

That the Parliament notes the conclusions and recommendations contained in the Environment, Climate Change and Land Reform Committee's 12th Report, 2020 (Session 5), *Green Recovery Inquiry* (SP Paper 845).

16:06

The Minister for Rural Affairs and the Natural Environment (Ben Macpherson): The Scottish Government welcomes the debate and the work of the committee because, collectively, we face significant challenges both in the years ahead and in the here and now. Currently, we are collaborating across Scotland and beyond to save lives and livelihoods in the face of the global pandemic.

At the same time, and in the same manner, we must increasingly collaborate to tackle the climate and ecological emergency, and to deliver a green and just recovery. We need a collective response, following the pandemic, that builds on the progress to date in tackling the twin challenges of the climate emergency and biodiversity loss, while enhancing prosperity and wellbeing for all.

The pandemic, of course, continues to be hugely challenging for us all. Many people have had their livelihoods impacted and, tragically, many have lost loved ones. However, as the First Minister often says, there are brighter days ahead. At some point, we will be beyond the current crisis, looking back at this time and reflecting on what we

have lived through together, what we have learned and how we, as a society, recovered from the impact of the coronavirus.

As has been emphasised, as we come out of the pandemic we have an important opportunity to design a better future and to arrange things differently. We in the Scottish Government are committed to achieving that. We want a green recovery that creates job opportunities, grows Scottish businesses and regional economies, and delivers wellbeing outcomes for all, as well as tackling the climate emergency as a key and all-inclusive priority, as I said.

In the spring, we moved quickly to seek advice on shaping a green recovery from the Climate Change Committee and the just transition commission, and we established an advisory group on sustainable and renewable recovery. The advice that was received contributed to our work to lay the foundations now for a green recovery.

Since then, we have followed a whole-Government approach. In the first instance, that has been done through measures such as our £62 million energy transition fund and the £38 million that we spent on pop-up active-travel infrastructure. Our programme for government focused on good green jobs, and measures such as our £1.6 billion of investment in heat and energy efficiency and our £100 million green jobs fund will make a difference. More recently, we have published the climate change plan update and the budget proposals, all of which are centred on green recovery.

John Mason (Glasgow Shettleston) (SNP): The minister talks about “a whole-Government approach” and what the Scottish Government plans to do. Can we do that independently, without the United Kingdom Government being involved?

Ben Macpherson: We face the challenge collectively, as a society and internationally. Therefore, we absolutely need the UK Government's involvement, whether that is about reforming the contracts for difference scheme to deliver support for wave and tidal generation and local supply chains, decarbonisation of the gas grid, or a commitment to linking the UK emissions trading scheme to other schemes globally. Those measures, along with a wide range of others, will be important.

We seek to engage with the UK Government constructively and appropriately—indeed, I have done so this week. We cannot act alone. It is absolutely the case that we need input from the UK Government. I will say more about that shortly.

I mentioned the climate change plan and the budget proposals. A package of more than 100 new policies has been announced since the

publication of the 2018 plan. Those policies are in the draft climate change plan update, which is currently being considered by Parliament. The update addresses many of the points that the Environment, Climate Change and Land Reform Committee highlighted in its report on green recovery. The two documents—the committee’s report and the CCPU—share a commitment to our recovering from Covid-19 in a way that delivers a just transition to net zero and an economy that is more sustainable, that creates green job opportunities and which contributes to wellbeing.

Maurice Golden (West Scotland) (Con): When will the 2013 household recycling rate target be met?

Ben Macpherson: The importance of the circular economy is part of our collective challenge. I will say more about that shortly.

Our draft budget, which was published at the end of January, lays the foundation for us to rebuild a fairer, stronger and greener economy and to deliver opportunities for new work and growth, as part of a just transition to net zero. If Parliament agrees the budget, the first £165 million of our low-carbon fund will be committed in the coming year. That will include £14 million for the green jobs fund, £25 million for bus priority infrastructure and £15 million for zero emission buses, alongside complementary investment in active travel, heat, peatlands, biodiversity and recycling. The budget also proposes increasing low-carbon capital investment across the Scottish Government to a record £1.9 billion. Those investments underpin our commitment to a green recovery, and again demonstrate our cross-Government approach.

In addition, we are supporting our investments through a wider package of skills support—the need for which is an issue that the committee highlighted. That includes the creation of a green workforce academy, the £25 million transition training fund and the £60 million young persons guarantee. Early adopters of the guarantee include SSE, Capgemini and NHS Lothian.

Furthermore, the climate emergency skills action plan will support people to access green jobs through advice and retraining, and through aligning the skills system with growing demand for green jobs.

Nature-based solutions will contribute to green recovery through job creation, mobilising green finance and boosting local economies. That is why we have made significant multiyear investments of £250 million over 10 years in peatland restoration and an additional £150 million in forestry over five years. Our programme for government also announced initiatives to create green jobs in the natural environment.

The circular economy represents an enormous opportunity for Scotland’s green recovery. It tackles emissions through influencing product design, manufacturing and waste and resource management, and it plays a vital part in delivering net zero. The climate change plan update sets out ambitious policies on the transition to a fully circular economy.

We have an opportunity to make this time a turning point on our journey towards net zero and the creation of a fairer and more prosperous Scotland. Today’s debate is part of that process. I highlight the important role that the Environment, Climate Change and Land Reform Committee has played. In particular, I thank the committee’s convener, Gillian Martin, for her leadership and her thoughtful remarks today. I also thank the committee as a whole for its “Green Recovery Inquiry” report, which, as I mentioned at the beginning, forms part of a continuous collective process.

I look forward to hearing other contributions and to us all working together, as a Parliament, to achieve our shared ambition, which is a green recovery that benefits the whole of Scotland.

16:14

Liz Smith (Mid Scotland and Fife) (Con): It is fair to say that members across the Parliament both recognise and agree that the primary focus for 2021-22 must be to rebuild Scotland’s economy, and that as much of that as possible should be done in line with an ambitious and sustainable green recovery.

There is also recognition and agreement that there must be willing co-operation between the private, public and third sectors when it comes to meeting that challenge, whether that is in relation to policy making, job creation, stimulating investment and economic growth or tackling the immense challenge that is climate change.

To that end, “Eight policy packages for Scotland’s Green Recovery”, which the climate emergency response group published last July, specifically asked for careful consideration of where Government—at Westminster and Holyrood—should invest public money in order to deliver best value, and of what incentives are needed to stimulate sectors to invest in key infrastructure projects, including in our rural communities, which are so critical to the green recovery.

I suggest that the Scottish Government still has a great deal more to do in that regard, notwithstanding the infrastructure announcements that Michael Matheson made recently. Just about every green recovery witness whom we have heard from at the Environment, Climate Change

and Land Reform Committee, including at recent evidence sessions on the climate change plan update, has pushed us for accelerated investment in infrastructure and much greater commitment to that in the Scottish budget.

On 2 February, Chris Stark made it clear to the committee that he feels that much more action is required when it comes to delivery of projects, rather than just in their future planning. He also said that he feels that the Westminster Government is a little bit ahead of the Scottish Government when it comes to the focus on net zero projects, so he encouraged quickening of the pace.

In that respect, effective procurement is essential; the committee's report clearly identifies it as being crucial in aligning funding with infrastructure development and capital investment. The role of the new Scottish National Investment Bank is extremely welcome, but it can succeed only if there is the willing co-operation between the private, public and third sectors, which I spoke about, and a full focus on delivering best value for money on regional and national bases.

That is why the circular economy is so important, as has been commented on significantly at committee in recent weeks. Iain Gulland, Stephen Freeland, Sarah Moyes, Andrew Midgley and Chris Stark all spoke about the need for a much more serious approach to the circular economy, which draws into question why the Scottish Government dropped its circular economy bill after heralding it as being very important. That hardly sent out the right signal—especially as the Scottish Government's 2013 recycling target, which my colleague Maurice Golden mentioned, has not been met. I think that recycling rates are worse now than they were in 2016. The 2021 landfill ban has been delayed.

Even if we have better infrastructure in place, the green economy is also about jobs, and we need to put in place the necessary training to ensure that we have the right skills available to sustain it. I draw members' attention to a remark that Benny Higgins made in his recent report, which was echoed by Lord Smith of Kelvin. He said that the Scottish Government has to do more to ensure that there is better engagement between business and Government on the necessary strategic thinking, and on how best to develop the skills that will be required in the coming years.

That will mean closer engagement with schools, colleges and universities, all of which— notwithstanding the very difficult period that they are currently facing—will be at the forefront of developing the basic skills that are required, many of which are very different from those that were adopted by previous generations.

Benny Higgins's message is critical, because it picks up on the point—as the committee's report does—that there needs to be much stronger policy coherence across portfolios, with emphasis on low-carbon projects and on the targets that are set out in the climate change plan. The committee is clear in its view that we need to do a lot more by taking an holistic approach that is at the heart of the national performance framework and the budget.

My colleagues will cover in more detail the rural and marine aspects of the recovery plan, which are extremely important, but I note that the regional land-use partnerships issue is a classic example of why there needs to be a much more holistic and integrated approach.

At committee last week, a witness from RSPB Scotland was just one who questioned why the Scottish Government has not done more on land use strategy so that agriculture, forestry and land management are seen as part of the same coherent plan. They also questioned why regional land use partnerships are being introduced only on a pilot basis.

I remind Parliament that the committee was particularly strong in its recommendation 41. The Scottish Government must do an awful lot better when it comes to proving that there is a commitment to delivery rather than just to plans. It needs to set out exactly where responsibilities lie across the sectors, and it needs much clearer and more realistic timescales when it comes to presenting the shared vision.

The Scottish Conservatives are happy to support the committee's report, but a lot more work needs to be done, and the Scottish Government needs to accept that.

16:20

Claudia Beamish (South Scotland) (Lab): On the far side of these challenging Covid times, there is a real opportunity to shape the future together, with a new, fairer way forward for the people of Scotland in the context of the climate and nature emergency. In that context, I am heartened by the wide engagement that the committee undertook, which led to our green recovery report and its robust, unanimous recommendations. I identify with the remarks of our convener, Gillian Martin.

Many of our findings and recommendations chime with those of other valuable reports and proposals, including those of the just transition commission, the Scottish Trades Union Congress, the UK Climate Change Committee and more, and they chime with many of the Scottish Government's recommendations.

I want to start with our exploration of the green recovery landscape in Scotland. What do we mean by that? Is it flat, hilly or mountainous? Are there barriers to climb over? It is a tough and, some would say, a pretty rocky track. With the right strides, however, I believe that we can do this together.

Zero Waste Scotland very helpfully included a compendium of 270-plus green recovery recommendations made by more than 20 organisations in Scotland. Some might argue that that makes for a cluttered landscape—with respect, they would be incorrect. The compendium demonstrates the synergy between a wide range of respected organisations that are signposting our way to the future.

The committee stresses the importance of policy coherence, as we have heard from other members today, and cross-cutting action in the climate change plan update, the national performance framework, policy development and the Scottish budget. For a number of years, I have been part of a round table on the national performance framework. Many years back, that group grasped the significance of having cross-cutting and clear indicators. The committee's report recommends that

“the Scottish Government provide reassurance that the National Performance Framework adequately embeds wellbeing and green recovery principles.”

Although all aspects of policy and what underpins it must support the rapid shift to net zero, I want to single out two. We took strong evidence on the land use strategy—we heard from Liz Smith on that—and I have long argued that it is vital that the pilot schemes are rolled out across Scotland quickly, are inclusive and have adequate funding. Understanding and buy-in will be essential, and it is vital that all land uses are evaluated and taken forward holistically. Marine policies must not be overlooked and must include something that I and others, including Paul Wheelhouse, have long advocated for, which is the real action that we need on blue carbon. That must start with salt marshes, on which we took evidence in a session on the climate change plan update.

The committee is robust about the opportunities that are presented by the climate change plan update. We “expect to see” net zero policies with clear pathways as the climate change plan is developed. However, those are not yet evident in many policy areas. For instance, it is disappointing that the Scottish Government has, in my view, failed to address fuel poverty robustly enough at this stage in the climate emergency. Scottish Labour is calling for radical action now, including the doubling of investment to at least £244 million for the coming year, in order to see a step change

that really tackles fuel poverty, brings local, skilled jobs, prevents rising long-term costs and tangibly improves the lives of our rural and urban communities. Paragraph 32 of the committee's report stresses:

“A just transition must be at the heart of the green recovery, prioritising the most vulnerable and those whose paid employment is likely to be adversely affected by the transition.”

I and other members cannot emphasise enough our recommendation on the circular economy. The report states that that approach to procurement and to the future

“will help increase local jobs through repair, remanufacturing, reuse and leasing opportunities.”

We will hear more about that from Sarah Boyack.

Finally, I want to reinforce our recommendations on finance by highlighting the importance of conditionality and the Scottish Investment Bank. Private investment will be vital as well.

I call on all MSPs, particularly members of fellow committees, councillors, policy makers, businesses, trade unions and educators, and everyone in civic society—in fact, everyone—to read and reflect on the committee's report, which is important in leading us to collective action for a green recovery.

16:25

Liam McArthur (Orkney Islands) (LD): I extend my thanks to Gillian Martin and members of the Environment, Climate Change and Land Reform Committee for their work, aided by witnesses and support staff, in producing a detailed and insightful report.

As we come to the end of this parliamentary session and look ahead to a new one that starts later this year, it is increasingly clear that some of the most profound and challenging choices and decisions in Scotland's history will fall to the incoming generation of decision makers. Because the world is on the brink of irreparable damage, decisions that will be made over the next 10 years—and probably in less time than that—will either make or break our planet.

The climate emergency is beyond dispute. The year 2020 began with apocalyptic wildfires in Australia, which were declared to be among the

“worst wildlife disasters in modern history”.

Extreme weather and the fires, floods and droughts that follow it are becoming more and more commonplace, and a global average sea level rise of more than 3mm per year over the past two decades has set alarm bells ringing.

Scottish Liberal Democrats have long recognised the threat that is posed as well as the

urgency and ambition of the action that is needed to combat that threat. We have been instrumental in forcing the pace of change, and we have played our part in ensuring that Scotland now has some of the most challenging emissions reduction targets in the world. Those targets push us to the brink of what is currently possible. The chief executive of the UK Climate Change Committee, Chris Stark, recently described the 2030 target as “very, very stretching”.

The challenge may seem daunting, but the pandemic has been a timely lesson in what radical change really means. Covid-19 has shown everyone what is possible when public interest and political will demand it. We have seen how a global emergency should inform and influence decisions at every level so that what happens on the ground reflects the best of our intentions. That transition from ambition to action must now be seen if we are to address the climate emergency. As Benny Higgins reminded us:

“The test is not in writing it down; the test is in doing it.”—[*Official Report, Environment, Climate Change and Land Reform Committee*, 8 September 2020; c 3.]

Scotland already knows what happens when those issues drop down the political agenda. Ten years ago, the Scottish National Party promised 28,000 green jobs, with Scotland becoming a world manufacturing base for offshore renewables. Last year, contracts for 114 wind turbine platforms for the outer Forth estuary were awarded. A Scottish yard bid for just four of them and did not get any. All 114 platforms will be made in the middle east and China. Scotland also missed its emissions reduction target for 2018. Although the SNP’s rhetoric and promises are world leading, its delivery so far has failed to fully walk the talk.

As we move to ensure that our ambitious legislation results in ambitious action, Scottish Liberal Democrats will continue to play a constructive role. We have done so in pushing for greater action on electric vehicles, warm homes and plastic pollution, and we will continue to do so across the range of areas in which progress is desperately needed. We have held the Government to account on its support for policies such as a third runway at Heathrow, which flies in the face of tackling the climate emergency.

We need a detailed, costed, funded and realistic route map for every sector and every area. What we do not need is a list of excuses about why promises are not delivered and how everything would be solved with the wave of a constitutional wand.

I again thank the committee, and I look forward to playing my part in the delivery of the actions that are set out in the report.

16:29

Mark Ruskell (Mid Scotland and Fife)

(Green): After Scotland emerged from the first Covid lockdown, last spring, it became clear that we had many lessons to learn from the experience. Amid the turmoil, economic uncertainty and pain of the pandemic, we had rediscovered the resilience of our communities. We had also found solace in our connection with nature. Our daily need for travel had been redefined as a need for access. Suddenly, bandwidth was a more limiting factor than traffic congestion, with clearer streets and skies building confidence in people of all ages to walk and cycle.

One of the biggest lessons was that, when faced with an existential crisis, Governments acted. Major mistakes were made along the way, but the intervention by the state was on a scale not seen since the second world war. In many ways, Covid has been a dress rehearsal for what is to come with the climate emergency, albeit that the challenges and changes will be on a far greater scale.

Covid has also shown that, when faced with a crisis, inequalities often widen. For those who had insecure work, the insecurity has become deeper. For young people struggling to find a path in life, the climb out of poverty is now that bit steeper.

Inequality also lies at the heart of the climate emergency, with the richest 1 per cent responsible for more emissions than the poorest half of the world. The cry for global climate justice cannot be ignored, and, alongside it, a plan for a just transition so that no workers are left behind is imperative for the industrialised world.

Never at any time in our history has it been more important to shift to a wellbeing economy that enables us all to live within the boundaries of our planet while ensuring that the basic needs of everyone are met. It will, however, take more than a TED talk from the First Minister; it needs a big shift in thinking and governance.

The Government should start by scrapping gross domestic product economic growth as the central goal. It should set up a future generations commission, as Wales has done, to demand coherent policy decisions that will leave a better world to the next generation. A green recovery cannot be undermined by incoherent policies and budgets that lock in climate emissions and store up costly problems. The days of the Scottish Government justifying a massive trunk road expansion programme by having a cycle path running alongside it must come to an end.

Investment in low-carbon infrastructure, whether it be for electric buses, active travel or efficient buildings, must be front loaded in budgets—build it and they will come. At the moment, however, only

36 per cent of infrastructure spend is low carbon. That must rise to 70 or even 80 per cent if we are to avoid missing climate targets.

That is why the Scottish Greens published our “Rail for All” report last month. Big, visionary thinking is needed if we are to make rail the natural choice for travel. From improved intercity services to new stations including Newburgh, St Andrew’s, Clackmannan and Kincardine, our costed plan would deliver jobs and economic benefit.

The committee’s report poses major challenges to the Government about its vision, about how policies are formulated and about how budgets prioritise coherent action for the future, but the Government’s early response to the report is disappointing. It appears to be a dump of policy examples, and I get no sense from it that there is a major shift in Government thinking. Many of the more searching recommendations have been ignored.

Yes, the Scottish Parliament needs more fiscal powers so that we can choose our path and invest in the future, but we will not win the case for more powers with a paucity of vision. The time for tinkering around the edges is over. Covid has opened our eyes to what is possible and what is necessary. All that remains to be shown is our will to rise to the challenge of a green recovery and make it happen.

16:33

Joan McAlpine (South Scotland) (SNP): I congratulate the Environment, Climate Change and Land Reform Committee on its inquiry and report, which I see was published last November and which has already begun to help to shape our agenda in the green draft budget.

We were already planning our green future before Covid-19 came along, and, given the choice, that is where we would all have preferred to stay. Unfortunately, the virus did not give us a choice, so we must now plan the green recovery in that context. That is why I welcome the immediate and urgent action taken by Kate Forbes in the draft budget, which invests a record £1.9 billion in tackling climate change and creating good, green jobs.

It is particularly heartening that green jobs have been prioritised despite the significant financial challenges of Covid and delays to the UK budget and UK Government spending review, which have worsened our capital position. For example, one of the conclusions in the committee’s report notes that the Office of Gas and Electricity Markets sets price controls and influences investment and profit levels across the gas and electricity markets. The committee wants Ofgem to invest in and enable

the swift development of infrastructure and the energy network to effectively deliver a low-carbon transition, but Ofgem works within a policy framework that is set by the UK Government and answers to UK ministers. I welcome the committee’s acknowledgement of that fact.

The committee heard that energy transition in relation to heat and transport poses one of the biggest challenges faced by the Scottish economy as reliance on oil and gas shifts to renewable electricity and hydrogen technologies. I agree with the committee’s report that, to achieve a just transition, new skills, technology and infrastructure will be required on a bold scale. I therefore welcome the launch of the climate emergency skills action plan, along with the climate change plan update, which will ensure that the skills system supports people to access those jobs through advice, skills and retraining. I note that the plan includes establishing a green jobs workforce academy.

I also welcome the new £180 million emerging energy technologies fund and look forward to some of that investment coming to the area of Scotland that I represent, which has already established itself as a leader in green technology. Last summer, for example, I was honoured to help open a new £1.8 million green energy hub at Dumfries and Galloway College thanks to funding from the SP Energy Networks green economy fund with support from the Scottish Funding Council.

The hub will promote sustainable economic growth, increased air quality and other aspects of environmental forward planning and allow access to a significant range of practical solutions to the challenges of heating, power and water supply. Flagship education programmes such as that one help to power the next generation of sustainability experts and create the workforce of the future.

I draw attention to the work of the Crichton Carbon Centre in Dumfries and Galloway, whose expertise includes advising on peatland restoration. I very much welcome the fact that the Government’s climate change plan is committed to delivering an ambitious 10-year, £250 million peatland restoration plan by 2025. Restoring degraded peatland makes an essential contribution to sequestering carbon and to protecting biodiversity. It can also catalyse the creation and development of land-based jobs and skills in rural and remote communities across Scotland. The Crichton Carbon Centre provides free condition assessments, site surveys and planning and it can help with all aspects of funding applications and project support through the Government’s peatland action programme.

I welcome the committee’s report and congratulate the members again on their work. I

also welcome the Government's action to ensure that a green recovery is at the heart of the 2020-21 programme for government and the climate change plan update. I look forward to all areas of Scotland, including my area of South Scotland, benefiting from the green recovery.

16:38

Peter Chapman (North East Scotland) (Con):

I welcome the opportunity to speak in the debate. I am sure that there is total agreement across the chamber that few things are as important as tackling the climate, ecological and biodiversity emergencies and finding ways of mitigating their disastrous consequences.

Having read the ECCLR Committee's report, I am surprised at its silence on the marine environment and shocked at the lack of ambition on marine issues from the Scottish Government. The UK is a proud maritime nation and, having just left the European Union and the common fisheries policy, we now have the opportunity and responsibility to design a management regime for our fishing industry with ambitious, practical and measurable targets and with sustainability at its heart.

Not everyone realises that farmed salmon is Scotland's biggest food export. Its quality is world renowned, so I would have thought that that industry would have been another priority for the Scottish Government's green agenda.

To omit the marine environment from the green recovery is ignorant at best and downright dangerous at worst. The importance of having a healthy and balanced marine ecosystem cannot be overstated, and the Scottish Government must do more to establish a risk-based approach to fisheries management.

As Scotland has left the restrictive CFP, the Scottish Government has an opportunity to set maximum sustainable yields for all important species, which would ensure the long-term future for our fishermen and the health of the marine environment. However, the Scottish Government has been completely silent on the issue, which is not good enough.

Hand in hand with setting sustainable catch limits goes tackling discards in a workable manner. We can learn much from the Norwegian system. Discarding is wasteful and undermines efforts to fish at sustainable levels. There is a pressing need for the Scottish Government to do the work and come up with a plan.

The recovery plan needs to address our declining marine biodiversity. Rising sea temperatures have driven organisms such as zooplankton and sand eels northwards. Sand eels

are a key prey species for fish and seabirds. Recent figures show that, in 2020, Danish fishermen caught more than 240,000 tonnes of sand eels, which all went straight to fishmeal. It is no wonder that there is now good evidence that declines in the abundance of sand eels have reduced the breeding success of seabirds around our coast. Our seabird population's health is a good bellwether for assessing the biodiversity and health of the marine environment, which does not look good by any measure.

The SNP keeps making grand promises to tackle the climate crisis but, time and again, it misses targets and fails to deliver. The Rural Economy and Connectivity Committee, which I sit on, has taken evidence at recent meetings on climate change. It has become apparent that, although the SNP is good at setting targets, it is severely lacking in the detail on how to achieve them.

However, at least there are targets. In a proud maritime nation, it is a disgrace that there are not even targets for marine issues. A renewed focus on our seas must be included in the green recovery, with sustainability at the heart of any approach. That is the only way in which we can address the environmental and ecological challenges and ensure the future of marine species, our fishermen and our coastal communities.

16:42

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): That was a brave speech for Peter Chapman from the Tory party to make on fishing, when many fishing companies around our rural communities are going out of business as a result of Tory actions. However, I will focus on other matters.

I thank the Environment, Climate Change and Land Reform Committee's clerks and advisers for their considerable input into the report that is before Parliament.

There are a number of things in the report that it is important to focus on. The committee discussed conditionality. As the Government and our enterprise agencies support companies, we must tie into that support more conditionality that relates to our green agenda and creating a green economy for the long term.

There are investment opportunities. The Scottish National Investment Bank is a new vehicle that will help and will have such matters as part of its important priorities. We also need wider state investment and private capital. Much of the private capital that will support the green economy will come in because of the economic returns. That is one thing that we must tell people about.

Today, we have heavy snow in the north of Banffshire. We were able to get out for our Covid jabs—thank you very much to the Cabinet Secretary for Health and Sport—but two deliveries turned away because the vehicles could not reach us.

I can see that we have snow on our roof. Why do we have snow on our roof? Because we took our insulation in the loft up from 200mm to 600mm—I thank the Government for paying for that—which means that there is no heat going up to melt the snow on our roof. Not all the houses that we passed on the way down to Macduff were similarly insulated.

Some of the actions that we need to take are very local actions—very simple, straightforward and not high-tech—but they give huge benefits. Of course, the benefit to us of taking that action was a halving of the cost of heating our house. Many of the good things that individuals can do have benefits. If we drive fewer miles, we spend less money. If we walk, we are healthier and we spend less money on being unhealthy. If we cycle, that is a good way to travel and, again, it promotes a healthy agenda for each and every one of us.

The Covid crisis has illustrated how flexible, responsive and effective Government and the civil servants who work in the Government can be when faced with a challenge. Relieved of some of the perhaps narrow constraints and told to just get on with it, there has been a magnificent response right across the public sector—not simply in the Scottish Government but in parts of the UK Government and, more fundamentally, in local government, which is important because many of the decisions that will make a difference in this agenda will have to be made locally, with regard to local needs and requirements. The needs in the centre of Glasgow are fundamentally different from the needs of rural communities such as those in my constituency and others across Scotland and those in more remote areas that have only a few houses and limited roads.

We are making the kind of progress that we need to make. The agenda is now a shared one across Parliament, and I commend this report from our committee to Parliament.

16:47

Sarah Boyack (Lothian) (Lab): It is great that we are having this debate this afternoon, and it is vital that our response to the economic crisis and the climate emergency links into bold action to deliver a more equal society as we recover from the pandemic. That means using procurement to deliver long-term local jobs and training opportunities. The exciting energy efficiency programme that was mentioned by Claudia

Beamish would be an excellent way to kick-start a green recovery because it is work that is already being done and could be ramped up significantly.

I was glad to see in the committee's report that recognition is being given to the role of localised procurement. That has been mentioned by a few colleagues across the chamber. The key point that was made was about new procurement models being needed and the need for a fundamental shift away from an approach that involves procuring at the lowest cost to a holistic approach that takes into account the whole-life costs and benefits of investment and intervention—fiscal, social, environmental—right across the public sector. As others have said, it is a big issue for local councils, too.

In advance of the 26th conference of the parties, or COP26, we should be looking right across the public sector in relation to issues such as supplying clothing for our national health service. We need to think about procurement. What is the source of those products, how sustainable is their production and how do we support affordable, ethical products?

Food procurement is also important. We have seen a lot of progress on that in Scotland, but there is much more to be done to ensure sustainable food production that links into local businesses and public sector organisations such as the NHS and our councils. It is critical that we secure food that is locally sourced and affordable.

Another issue that nobody has mentioned today but that I think should be part of this agenda is community wealth building. Labour-led North Ayrshire Council is an excellent example of political leadership that links into public sector procurement to improve the social, environmental and economic wellbeing of a council area. Last month, the council approved proposals for a council-owned solar farm that will generate 34 per cent of its pre-Covid energy needs and will deliver a financial surplus of almost £13 million, which will be reinvested in North Ayrshire. The council is also looking at a second solar farm site and is exploring opportunities relating to wind power, hydrogen power and battery technology. Those initiatives are relevant as we look towards the 2030 targets, and they also deliver sustainable income streams.

Those are practical achievements on the ground, and they build on the community renewables and co-operatives that we have seen in our rural communities for years, generating local benefits, led by local communities. However, there is much more that can be done. The Edinburgh Community Solar Co-operative is a model that should be followed across Scotland. Our school buildings have solar panels on their roofs and

investment is now being made in our schools and community projects.

I am glad that the Scottish Government's heat and buildings strategy looks at achieving net zero emissions from our buildings in Scotland. The strategy references past experience in Scotland and the importance of using positive business models to support community-led development. We now know what works and we have good examples in our local communities, but such work needs to be happening everywhere. Every local council needs to kickstart such projects. I hope that the Scottish Government's investment will feed through to local communities so that they can deliver.

Another critical area is public transport recovery. People should be given real choices so that they can shift from using their cars to using public transport. Anyone who listens to "Good Morning Scotland" every morning will hear that we still have traffic jams in Scotland, even though people are not going to work in the same numbers. We need to kickstart public sector transport again. I note that the Welsh Labour Government has just taken its railway companies into public ownership.

Sitting alongside rail are the bus companies. Why is the Lothian Buses model not being replicated across Scotland? The Scottish Government has its bus fund, and we have the legislative competence through the Transport (Scotland) Act 2019. Can we make such action part of our green recovery?

Such action will also help to deliver 20-minute neighbourhoods, which is the concept of the moment. That means remaking our town centres, investing in retail and hospitality, reusing empty buildings and creating new homes. That would represent a green recovery. Using existing buildings is hugely important to the environment.

We should all be able to support the delivery of local jobs, training, procurement and initiatives, which should be supported by Scottish Government investment. Let us get on with that, because we know that it can be done.

The Deputy Presiding Officer (Christine Grahame): I was enjoying your speech, but you went on too long. That is the problem, but there you go.

16:51

Angus MacDonald (Falkirk East) (SNP): I am pleased to contribute to the debate in the week that it was confirmed that Scotland's carbon footprint has hit another record low. Analysis by the Scottish Government shows that Scotland's carbon footprint fell by 30 per cent between 2007

and 2017. That compares with a 21 per cent decrease in the rest of the UK.

During the 10 years of SNP governance, Scotland's greenhouse gas emissions have fallen by 30.4 million tonnes of CO₂—that is equivalent to the emissions from nearly 400,000 lorry loads of fuel. That is what you call progress, but that progress should not detract from the urgency of addressing the climate emergency in tandem with our green recovery.

As we have heard, the Covid-19 pandemic has caused sudden and dramatic changes to our way of life, and every person and industry has felt the effects. The Covid-19 crisis has not reduced the urgency of addressing climate change, but it means that it is imperative that the necessary economic recovery is sustainable. The green recovery allows us to link the economic and environmental advantages of investment in a sustainable recovery. However, we need to ensure that the transition happens in a way that leaves no one behind. Of course, it is imperative that that work gets under way now.

The ECCLR Committee report states that, for a just transition to be successful, new skills, technology and infrastructure will be required at a scale that has not yet been seen. That includes the need for investment in carbon capture and storage. Although there is much debate about the inclusion of CCS in the climate change plan update, there is no doubt in my mind that it must be part of the equation.

I say that not least because I represent the Falkirk East constituency, where Grangemouth sits. Grangemouth emits 33 per cent of the total emissions from companies in Scotland. A related statistic is that it accounts for 8 per cent of Scotland's emissions but only 2.9 per cent of the total population. We can therefore understand why the Scottish Government, Falkirk Council and major industry players including Ineos are keen to develop plans for carbon capture and utilisation schemes in Grangemouth, as part of the green recovery.

I am pleased to say that Ineos engages closely with Falkirk Council on measures to reduce the amount of carbon that is emitted from the site. Actions include investment in a new energy plant, replacement of flaring equipment and upgrades to the KG cracker. Ineos has also been actively engaged in work on the investment zone and on carbon capture and utilisation schemes. Although I have put on record my disappointment that Ineos has not engaged directly with the Parliament's scrutiny of the updated climate change plan, it is fair to say that it has engaged indirectly via the Chemical Industries Association, which Ineos believes can give broader industry input.

It is also fair to say that the petrochemical industries are key not only to our local economy in the Falkirk district, but the Scottish and UK economies. Our economy in the Falkirk district has a symbiotic relationship with Scotland's oil and gas sector, and we must accept the need to support those industries through this immediate crisis and recovery, as well as looking to the longer term and developing a new, greener industrial base in Grangemouth.

It is, of course, worth pointing out that Scottish industry would become less competitive if it were required to decarbonise at a faster pace than competitors, and there is a risk that that would lead to the offshoring of operations, which is clearly the last thing that anyone would want.

We have learned from the pandemic that the new normal must reflect the need to build wealth and resilience into local economies. It should have a strong focus on promoting carbon reduction and reinforcing the value of place and how people engage with the spaces around them, as lockdown eases.

In my view, the Falkirk district typifies the risks and opportunities post-Covid-19 and there are opportunities for my Falkirk East constituency to act as a demonstrator for the transition. There are potential early wins around the significant investment plans of local industry to modernise its infrastructure, creating new energy generation potential and upgrading assets.

I look forward to the work of the newly-formed Grangemouth future industry board proceeding at pace and to having the Grangemouth industry's keenness to be part of the just transition and green recovery recognised and embraced as we move towards net zero by 2045.

16:56

Jamie Halcro Johnston (Highlands and Islands) (Con): I remind members of my entry in the register of members' interests, as I am a partner in a farming business.

I start by welcoming the consensus around the chamber for an economic recovery that does not jeopardise progress toward positive environmental outcomes. The position in which we find ourselves is unprecedented. Large parts of our economy have been shut down and considerable restrictions have been placed on the day-to-day lives of individuals. There is a clear imperative to recover and build back better.

Jobs that have been safeguarded in the short-term must be there in the long-term, too. Businesses that are being kept barely afloat must return to providing incomes and livelihoods. However, it is right to consider that this comes at a

time when we already face significant changes in how our economy relates to our natural environment. The risk, if both processes are not well managed, is that the combination of economic shift and shock may well create equally unprecedented risks.

This is also the year in which the COP26 conference will come to Glasgow, and Scotland and the wider UK's positions on climate change will increasingly be under the spotlight.

The Environment, Climate Change and Land Reform Committee's report is an important piece of work that requires detailed consideration. It outlines many of the issues that have to be tackled if progress is to be made on reaching the ambitious climate change target that the chamber has agreed. Sadly, progress fell short in better times. The report notes

"consistent and significant concerns that existing policies" that are relevant in supporting a green recovery "are not being appropriately implemented."

We know all too well that progress against key environmental targets has been slow.

As my party's rural spokesman, I am mindful of the role that the rural economy will have to play. Scotland's agricultural sector is keenly aware that future progress will impact how it operates. One of the main points made by the committee was on the need for future clarity in a world beyond the common agricultural policy. That has been an area in which, across the Parliament, there has been dissatisfaction with a lack of direction and leadership from the Scottish Government.

There are commitments to align future rural support with climate commitments. That is a sound use of support funding, but how it will be achieved remains largely a mystery; that is the consequence of kicking the issue further down the road. Similar alignment should be achieved across other areas—including continued support for agri-environment schemes that promote decarbonisation. In many ways, rural Scotland risks being left behind by national change if adequate consideration is not given to its particular needs.

It is also worth considering in that light some of the sectoral issues that the report raises. The committee spoke about the needs around renewable heat, but the chamber should recognise the proportion of off-grid properties that remain in regions like the Highlands and Islands and that often operate on more polluting fuels at a greater cost to occupiers. The chamber should also recognise the levels of fuel poverty that exist in our rural communities, especially in some that I represent. By 2020, 11 per cent of non-electrical heat demand was supposed to be provided by

renewables. That is not transformational, but it would have represented a positive first step had that goal been realised.

The committee properly underlined the need for active travel and public transport, but that makes little sense to communities where services are distant and local bus connections have been cut to the bone. There is little indication that the infrastructure required for the shift towards electric vehicles will match that being rolled out to more densely populated areas.

We should recognise missed opportunities in all of that. It is disappointing that renewable energy has often not benefited Scottish supply chains and that more has not been done to support green jobs in Scotland. The Scottish National Party's talk of 28,000 green jobs by 2020 was not realised and a great deal of work went overseas. A green recovery must focus on making a positive contribution to our economy.

There is a real opportunity to rebuild more positively after the damage caused by the Covid-19 pandemic. There has been harm not just to our economy, in the expenditure devoted to keeping jobs and businesses available, but a cost in lives and opportunities. To ignore the vital role of the environment in our recovery will be a false economy. Unless we handle that seriously, it will set Scotland back even further.

17:00

John Mason (Glasgow Shettleston) (SNP): I thank the committee for its report and the work that has gone into it. I am not a member of the committee and have come to the report somewhat late in the day, so I will focus on a few particular aspects.

One is transport, which members, including Sarah Boyack, have mentioned. I was particularly interested in that section of the report, not least because of my involvement in the cross-party group on rail. During the current lockdown, and in contrast to last spring, I have heard several people noting how busy the roads are. In contrast, the trains are incredibly quiet. The packed commuter trains are gone, at least for now, and people no longer pour out at Glasgow Queen Street or Edinburgh Park.

That raises a few questions in my mind. First, will we see a permanent switch to more home working and therefore less commuting as we leave the pandemic behind? Or will the social aspect of work and the opportunity for less-formal interaction with colleagues draw people back to their offices?

Secondly, people clearly feel safer from the virus in their cars than they do on public transport. Can we turn that around and get people back on

to trains and buses? If so, how long will that process take? We have got into the habit of keeping our distance from other people. Will that change back, or will that habit become permanent?

Thirdly, on a related subject, what will happen to our city centres? In recent years, office workers have come in from 9 to 5, Monday to Friday, then others have come into city centres for shopping and leisure in the evenings and at weekends.

I would not like to predict the answers to those questions, but they are fundamental and will guide our budgetary spending and our policies on planning and in other areas. I note that the committee suggests changes to the coming year's budget, but I wonder whether it is too soon for major changes in direction when we are still in a period of lockdown and are uncertain about the future. Last summer, when things opened up, some people did return quickly to restaurants, the cinema and such, but others did not. It might be too early to say what the long-term changes in behaviour—if there are any—will be.

Our short-term investment decisions will need to change in the light of those long-term trends. If we want people out of petrol and diesel cars and into electric ones, we should focus on installing charging points, improving roads and using car batteries as storage for excess electricity. That would, in turn, impact on the national grid. However, if we want people out of all cars and on to public transport, we should invest more in bus development and rail infrastructure, including by reopening closed lines as we have been doing. Then again, if we want people to live and work closer to home, should we invest in transport infrastructure at all? I hasten to add that I am not arguing against investment in transport infrastructure, but it is a question that we must ask.

Those are just some of the questions that come to my mind, and I suspect that the answers will not be black and white. We will probably make compromises on most of them.

I note the references in the report to the Scottish National Investment Bank. In its response, the Government points out that the primary mission of the SNIB is the transition to net zero. I also note the committee's desire to increase the finance that the bank has available to invest. That is a laudable aim, but Westminster's financial transaction money has been key to the bank's funding, and that particular source is being severely cut back in 2021-22.

The new UK shared prosperity fund was also mentioned, but the indications seem to be that Westminster wants to use it as something of an advertising tool for itself, so the chances of any

investment from there being aligned with the Scottish Parliament's desire for a green recovery are probably reduced, sadly.

I thank the committee for the report and for touching on such a wide range of issues.

17:05

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I thank Gillian Martin and the Environment, Climate Change and Land Reform Committee for such a thorough and positive report. I wonder, though, whether Peter Chapman actually read a single page of the committee's report. He could have done that instead of rubbishing the committee's efforts on the report, including his own party members' contribution to it. I am sure that they will have been delighted with that.

The report chimes with much of the work that is being done in the Economy, Energy and Fair Work Committee, which has been taking a close look at the update to the climate change plan and, in particular, energy and local heat networks and how those can help us to advance the green economy. From climate change to Covid, we are certainly facing some difficult challenges ahead, but I hope that one of those challenges is jobs. We must think differently, if we can, about how we will do things in the future.

The Environment, Climate Change and Land Reform Committee agreed with the basic principles set out by the Climate Change Committee that underpin a green recovery. However, I was pleased to see the ECCLR Committee go a bit further and embed wellbeing and the need for a just transition and human rights to be at the heart of the green recovery programme in Scotland. We are not starting from scratch, because we are already well placed in Scotland to deliver the agenda, and we already lead the world in many aspects.

We aim to achieve net zero by 2045 and to be carbon neutral by 2040; and we are including a fair share of the emissions from international aviation and shipping in those targets. We want to phase out petrol and diesel cars and vans by 2032, and, to achieve that, we will provide electrical charging points on our motorways while doubling our investment in active travel. To help us to get there, we are looking for a 43 per cent reduction in industrial emissions by 2032, which is a tall order, as it is the difficult stuff that is still left to do. Professor Stuart Haszeldine told the Economy, Energy and Fair Work Committee, at our meeting last week, that our beer fermentation and whisky distilling industries emit about half a million tonnes of CO₂ every year, which is not captured, of course. So, not just the Government but industries

have a vital role to play in the transition to net zero.

In terms of energy, by 2019 we had already generated 90 per cent of our electricity consumption from renewable sources, so good progress is being made. Financing the green recovery is fundamental to having any chance of success. The ECCLR Committee rightly focused on that, asking the Government to ensure that it aligns with all its spending plans and objectives but particularly its green recovery objectives. The budget proposals that have just been announced will see a record £1.9 billion invested in tackling the climate change emergency and creating sustainable green jobs.

Locally, in Ayrshire, we are doing our bit, too, with a number of innovative projects in the green growth deal that will help to take the green agenda forward. Our world-leading HALO project in Kilmarnock will operate on its 28-acre site powered by electricity with a net zero carbon footprint, and the national energy research and demonstration project in Cumnock is looking at storage solutions for local energy, to help that community to become energy self-sufficient. Some great work has been done, but there is still much to do, including making faster progress on carbon capture and storage.

I suggest that the green recovery group that has been called for by the ECCLR Committee should ask Governments and businesses to think seriously about where people can and will work in the future—an aspect that has been raised time and again by the many young people to whom we have spoken during our Covid deliberations. We have excellent and fast-improving digital technologies at our disposal, and one of the many lessons that we are learning from our Covid experience is that we no longer need to clog up our motorways and rush into our main cities every day to work in expensive, power-hungry buildings. Young people want to live and work in their own communities, and they expect us, as leaders, and the business community to take that seriously. What a wonderful opportunity we now have to progress that in the green recovery programme.

I commend the committee for producing a fine report.

17:10

Alex Rowley (Mid Scotland and Fife) (Lab): [*Inaudible.*]—Environment, Climate Change and Land Reform Committee debate today on its green recovery inquiry. I pass on my gratitude to committee members, for their work in producing the report; to all those who provided oral and written evidence; and, as always, to the clerks, who put in such hard work.

As my colleagues have said, we welcome the inquiry, and the Labour Party supports its recommendations. Now more than ever, the aim to build a more resilient, just and healthy society and environment should be supported and put at the forefront of any Government's strategy for how we build back from the pandemic.

I will touch on the recommendations in the report, which call on the Scottish Government to

"prioritise the delivery of skills development for a green recovery in communities that lack capacity and resources, establish a development fund to facilitate this and support the mobilisation of communities with further and sustained investment."

I have repeatedly made the case to the Scottish Government in the chamber that, if we are to focus on establishing a greener economy, we must absolutely prioritise the development of skills and jobs. We have seen a multitude of Government failures in that regard. The Government is not keeping its promises on green jobs, we are seeing work shipped overseas and it is failing to establish a green jobs economy on the scale that we have the potential for. However, in moving past those failures, there is no excuse for allowing the post-Covid recovery not to focus on those areas.

We all know that Scotland has massive potential for successful green recovery, but that recovery will need leadership, thorough planning and financial commitments from the Scottish Government. The crisis has put the inequalities in our country at the forefront, and those inequalities will become only more severe during this year. There is no doubt in anyone's mind that recovery will be difficult, but we must focus our attention on delivering a recovery that tackles the inequalities and poverty that leave so many people and communities behind.

In the report, the committee recommends that

"a green recovery route-map is needed to signpost the way"

through the challenges ahead. I agree with that approach and that

"clear timelines, clear responsibilities for delivery across all parts of the public sector and clear delivery plans for each sector"

will help to steer the direction of the recovery and ensure that there will be transparency in the Government's strategy. That will be essential when legitimate criticism or concerns are rightly made to ensure that we work together to make the recovery work.

The recovery will need input from across civic Scotland, from the Government, from Opposition parties, from those with public and private sector expertise, and from the communities that are, or that will be, impacted. By taking a collaborative approach, we can pool our resources to ensure

that the recovery is the most effective one that we can deliver.

Friends of the Earth has called for a scaling up of energy efficiency programmes, which is desperately needed, given the fuel poverty that we have in Scotland. It also calls for an expansion of bus travel with green buses, which we could build in Scotland. The Government can begin to put all of that into place now. I believe that there is also a need for a national housing plan that, once and for all, will tackle Scotland's housing crisis, creating apprenticeships and tens of thousands of jobs.

It cannot be jobs against the environment; it must be jobs, jobs and jobs leading the way in addressing the environmental challenge that we face. We must move from the rhetoric of transition to the creation of new jobs across the country, otherwise we will fail to meet that challenge.

17:14

Maurice Golden (West Scotland) (Con): I refer members to my entry in the register of interests.

I welcome the committee's report and thank the committee's members, clerks and witnesses for their efforts in producing it.

Although there might be disagreement over how we can achieve a green recovery, it has been encouraging to hear in the debate that members are united in their support for that principle. Gillian Martin spoke about being bold and increasing our commitment to climate change. I agree with that whole-heartedly. Ben Macpherson spoke about having a whole-Government approach, which is a strategy that we must fulfil.

Having a green recovery is not just about meeting our net zero goals, important though those are; it is about making Scotland more resilient to future shocks. That work must start in our local communities. I am pleased to see that the committee's report made a number of recommendations on that front, covering local decision making, procurement and skills, and childcare. Those are key components for creating a circular economy, retaining local wealth creation and generating green jobs.

Equally important to a green recovery is the recommendation to lock in low-carbon behaviours and retain the socioeconomic benefits of natural capital. Both are beneficial at community level for climate change action and individual wellbeing, but they are also vital at national level for reaching net zero and protecting jobs. That is because Scotland's vast natural capital, which is worth an estimated £23 billion to our economy, is vital for key industries such as agriculture, food and drink, and tourism and hospitality, so protecting our

natural capital will protect the thousands of jobs that those industries support.

Jamie Halcro Johnston highlighted the important role that agriculture will play. I support the creation of a protein plan to work with farmers to achieve our climate change targets. I welcome the Scottish Government's ambitious targets for doing so. However, unfortunately, they are not being met, as my colleague Liz Smith mentioned earlier.

Ben Macpherson: Would Mr Golden acknowledge the CCC's statement in its 2020 Scottish progress report that

"the Scottish economy has decarbonised more quickly than the rest of the UK, and faster than any G20 economy since 2008"?

It is true that there is more work to do, but great progress has been made.

Maurice Golden: I agree that progress has been made—thanks to the fact that the UK Government's electricity market has allowed the expansion of renewables here, in Scotland. That is wonderful, but let us not forget that, according to the climate emergency response group, more than two thirds of key climate policies are not on track.

Ben Macpherson: Will Mr Golden take another intervention?

Maurice Golden: I would like to make some progress in what is a relatively short speech.

The committee's report mentions "consistent and significant concerns" over policy implementation, and Friends of the Earth goes so far as to say that the SNP's climate change plan "doesn't add up". To put it simply, there have been significant failures on numerous environmental targets and promises. I do not doubt the good intentions of ministers but—to borrow a phrase—the facts are the facts. Just look at the list of targets that the SNP has missed—it has failed to meet the targets on emissions, household recycling, fuel poverty, renewable heat and creating 28,000 green jobs.

However, that record gets worse because, in many areas, progress is not happening and things are going backwards. Source emissions increased between 2017 and 2018, the recycling rate is worse now than it was in 2016, and the SNP is turning Scotland into the ashtray of Europe in that our incineration capacity is up by almost 400 per cent. That final statistic suggests that the SNP has abandoned the use of biostabilisation of waste. Numerous studies show that biostabilisation before landfilling is the lowest-carbon option for residual waste.

Ben Macpherson: Will Mr Golden take an intervention on that point?

The Deputy Presiding Officer: The member is in his last minute, minister.

Maurice Golden: I welcome Zero Waste Scotland's report on the subject, and I hope that the SNP will take on board its findings, incorporating the modelling changes that I raised.

There is willingness across the chamber to help ministers to turn the situation around, but only if they reflect on the committee's report, focus on delivering results, not rhetoric, and get this green recovery started.

17:20

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): I would like to thank all the MSPs for their perspectives—although perhaps not that latter one, which completely missed the tone and tenor of the rest of the debate, which was positive and constructive—and the perspectives that we have heard from everybody in relation to the Environment, Climate Change and Land Reform Committee's report. I thank the committee members for their work and their report. The report is a valuable contribution that will continue to inform Scotland's green recovery plans.

Many people are currently in highly challenging circumstances due to the pandemic; while we continue to mitigate the impact of Covid-19, we must keep working to ensure a strong recovery from the pandemic—one that responds to the urgency of the climate emergency while building a greener, fairer future for Scotland and capturing the economic and wider opportunities for our transition to net zero.

The Scottish economy has much to gain from leading the transition to a low-carbon economy and our economic recovery implementation plan aims to capitalise on those opportunities. Investment at the scale that is needed to meet our net zero emissions target can deliver long-term, sustainable economic growth opportunities in domestic and global markets, from buildings and energy to products and services. That must be done—and it will be done—through a whole-Government approach. We already invest £1.8 billion of capital each year in low-carbon policies and programmes and we have committed to increasing the level of spending by an additional £2 billion over the next five years. Those commitments are outlined in the climate change plan update.

Furthermore, our infrastructure investment plan, which was announced on Thursday, supports a green recovery by setting out a clear vision for our future infrastructure to support and enable an inclusive net zero emissions economy. Mobilising private finance into Scotland's transition, as

referred to by Liz Smith, is crucial if Scotland is to achieve its emissions targets. We will create the correct conditions for inward investment, removing barriers and driving innovative private investment solutions. That is exemplified by our green investment portfolio, which I launched in the summer. It sets out £3 billion-worth of net zero investments to global investors and there is the establishment of the Scottish National Investment Bank, as referred to by Stewart Stevenson, and its capitalisation of £2 billion of public money over the next 10 years, which will be central to driving market growth that fits with the net zero target.

On the issue of conditionality, as mentioned by Claudia Beamish, we will work with our enterprise agencies in partnership with businesses to best align support with our long-term climate, environmental, economic and social goals.

On communities, we need a place-based approach. Our programme for government talks about the 20-minute neighbourhoods and we will deliver on those as a clear way forward. Mark Ruskell talked about resilience and the reconnection to nature and active travel, and the importance of a stimulus for action to reflect on gross domestic product; our leadership of the wellbeing Governments, now joined by Finland, is important in relation to that. Sarah Boyack talked about community wealth building and I agree. We are supporting more community wealth building programmes and procurement.

On skills, our climate emergency skills action plan, which was published alongside the climate change plan update, will support people to access green jobs through advice, retraining and aligning the skills system and growing demand for green jobs, as mentioned by the committee convener.

The Scottish Government is also working with Skills Development Scotland and partners to design the green jobs academies, which Joan McAlpine referred to. That is a national, long-term programme to support the retraining and upskilling that is needed for transition to net zero.

Support for jobs and skills in the 2021-22 budget totals £1.1 billion, demonstrating our commitment to providing good green jobs, including the £100 million green jobs fund. We know that Scotland is a clean electricity powerhouse. In 2019, 86.4 per cent of the electricity that was generated in Scotland came from renewable or low-carbon sources. Looking ahead, as we further decarbonise energy, we have huge opportunities in the development of carbon capture and storage and the use of hydrogen to replace the fossil fuels. The scale of the challenge is enormous.

Angus MacDonald was right to point to the work of Falkirk Council and the industry challenges in that area. As the Climate Change Committee has

highlighted, Scotland has the potential to deliver negative emissions through our substantial carbon storage capacity in the North Sea. We have the £180 million emerging technologies fund, which will support the development of negative emissions technologies. We are also committed to better understanding blue carbon and how it can help us to mitigate and adapt to climate change. We have committed funding to our blue carbon research programme.

It is beyond belief for Peter Chapman of the Conservatives to talk about sustainability of the fishing industry when the Conservatives are currently destroying it on a day-by-day basis. What is not beyond belief is that he did not read the committee's report and is not aware of our marine plans or the blue economy work. I say to Maurice Golden that it is the UK Government that is currently opening the first deep coal mine in 30 years.

As was recommended by the advisory group on economic recovery in its June report, we will use a circular economy approach to build a stronger and more resilient economy. Many members have referred to natural capital. Nature-based solutions are vital, which is why there is a substantial investment in planting 18,000 hectares of new woodland every year and why we will restore at least 250,000 hectares of peatland by 2030. We will also ensure that all our actions align with legislative commitments to a just transition to net zero.

A green recovery has to work as a spine through all our action in a holistic and cross-Government way. I look forward to further discussion as we work with the committee and others to set the path and to build and deliver a green recovery. The committee's report is an important milestone on the journey, but it is also a clear signpost that points the way forward.

17:26

Finlay Carson (Galloway and West Dumfries (Con)): As the deputy convener of the Environment, Climate Change and Land Reform Committee, I am pleased to close the debate. As Gillian Martin stated, it is about an ECCLR Committee report, but many contributors to that report identified actions that are required across most of the Parliament's committees, which highlights the need for an integrated plan for a green recovery.

Behaviour change does not normally happen overnight but, with lockdown, rapid behaviour change has been forced on us. The committee heard from communities across Scotland about how central a sense of community has been during lockdown and how important it will be to

build on that as we recover. For almost a year, people have been working locally and from home. They have been travelling less, buying locally, supporting local producers, shops and suppliers and using local services. Many people have also been walking, cycling, getting out and connecting with nature more, which has had positive impacts on our climate and on our mental and physical health. However, we urgently need to capture and lock in those positive behaviours, so the Government needs to get moving on that.

The Committee on Climate Change noted:

“There is an opportunity to embed new social norms, especially for travel, that benefit well-being, improve productivity, and reduce emissions.”

We heard that it is essential that co-working spaces and local public sector hubs are developed to support remote working, improve rural connectivity and strengthen community spirit. We must improve how we build local capacity and decision making in our communities and provide greater fiscal autonomy to do so in order to build a more resilient, just and healthy society and environment and to put in place the foundations on which we can build a more sustainable economy.

As many members said, the Government needs to deal with the issue of policy incoherence. Currently, Government and the wider public sector are in some cases failing to work collaboratively or in a joined-up fashion. The recovery should take an integrated approach that transcends sectoral boundaries and builds on recognised social indicators to deliver national outcomes, particularly on the climate and biodiversity emergencies.

The general principles on which to build a green recovery are clear, but there is a lack of clarity about how the Government will make progress on delivering those national outcomes and where the responsibility to deliver sits in the various sectors. One issue that was raised constantly was doubt about the adequacy of the rate of change and the action that is being taken. Almost universally, the witnesses suggested that we are still some way off achieving the genuine transformational change that is needed.

An example of where that is the case is the agriculture and land use sector. Of real concern is the CCC’s recent progress report, which states that new funding for agriculture and land use in Scotland

“is not enough to drive a structural realignment of rural funding in Scotland that properly incentivises carbon reduction and sequestration, nor climate adaptation”.

Chris Stark from the CCC once again repeated that he does not

“see a plan to modernise agriculture and bring us to the point at which it has a role in the net zero economy”.

and suggested that Scotland is

“clinging to the old model of agricultural support.”—[*Official Report, Environment, Climate Change and Land Reform Committee*, 15 September 2020; c 11.]

That point was echoed by Professor Reay, who noted that, although the programme for government mentioned the land use strategy and plans for agriculture and for aligning post-common agricultural policy support with the net zero emissions target, there was still no detail about when pilot schemes would commence,

“what a new rural support regime might look like and how it might align with net zero and the green recovery.”—[*Official Report, Environment, Climate Change and Land Reform Committee*, 8 September 2020; c 38.]

That lack of clarity must be addressed as a matter of urgency.

The committee also recognised that the pandemic has brought about changes in food practices, including the development of direct and positive relationships between food producers and consumers—for example, in the form of local milk and egg deliveries—and has emphasised the importance of local food provision in increasing community resilience. The Government must set out its plans to lock in those positive changes.

The committee recommended that the Government should set out new policies and support mechanisms for agriculture, forestry and other land use; that the role of land use in a green recovery should be embedded in the policies and proposals of the third land use strategy; that regional land use partnerships should be funded; and that regional land use frameworks should be developed into regional delivery mechanisms for new land use policies.

I welcome many of the Government’s commitments, but the minister must recognise that the vision for and delivery of a green recovery must go beyond the climate change plan update, which is only part of the picture. A wellbeing economy and a green recovery need to be at the very heart of the national performance framework, policy development and delivery, and the Scottish budget. We need a clear green recovery route map to signpost the way, with clear timetables and clear responsibilities for delivery across all parts of the public sector. Liz Smith touched on how important that is; indeed, it is vital for public sector investors.

Almost everyone who took part in the debate stressed the need for Government to take urgent action to maximise the green recovery. If we are to get close to what we all recognise are ambitious climate change targets—targets that Chris Stark described as being on “the fringes of credibility”—the Scottish Government cannot ignore those concerns. If the minister truly believes that the

targets are achievable, he should set out a route map to enable us to have a shared understanding of where we want to be and a clear, evidence-based vision for us all to get behind.

Decision Time

17:32

The Deputy Presiding Officer (Christine Grahame): There is only one question to be put at decision time. The question is, that motion S5M-24078, in the name of Gillian Martin, on the Environment, Climate Change and Land Reform Committee's "Green Recovery Inquiry" report, be agreed to. Are we agreed?

I will pause for a moment to see whether that is agreed to by all members who are online.

Motion agreed to,

That the Parliament notes the conclusions and recommendations contained in the Environment, Climate Change and Land Reform Committee's 12th Report, 2020 (Session 5), *Green Recovery Inquiry* (SP Paper 845).

Meeting closed at 17:32.

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