HOUSE OF COMMONS

Scottish Affairs Committee

Oral evidence: Coronavirus and Scotland, HC 314

Thursday 18 June 2020

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Watch the meeting

Members present: Pete Wishart (Chair); Mhairi Black; Andrew Bowie; Deidre Brock; Wendy Chamberlain; Alberto Costa; Jon Cruddas; Sally-Ann Hart; John Lamont; Douglas Ross; Liz Twist.

Questions 164 – 220

Witnesses

I: Akash Paun, Senior Fellow, Institute for Government; Professor Linda Bauld, Professor of Public Health, University of Edinburgh; Professor Nicola McEwan, Co-Director, Centre on Constitutional Change; and Professor David Bell, Professor of Economics, University of Stirling.

Examination of witnesses

Witnesses: Akash Paun, Professor Linda Bauld, Professor Nicola McEwen and Professor David Bell.

Q164 **Chair:** I welcome you all to the Scottish Affairs Committee and our inquiry into coronavirus and Scotland, with special and specific emphasis on the four-nations approach. We have a great selection of professors with us this afternoon. I am going to let them all introduce themselves and make a short introductory comment. Thank you all for attending today.

Professor Bell: My name is David Bell. I am professor of economics at the University of Stirling. I am also a member of the Centre on Constitutional Change, and I have a particular interest in social care.

Professor McEwen: I am Professor Nicola McEwen from the University of Edinburgh and I am co-director of the Centre on Constitutional Change. I have a long-running interest in devolution and intergovernmental relations.

Professor Bauld: My name is Linda Bauld. I am professor of public health in the Usher Institute at the University of Edinburgh and a behavioural scientist. I also have a chair in cancer prevention at Cancer Research UK.

Akash Paun: Good afternoon. Thank you very much for having me. My name is Akash Paun. I am sorry that I have not quite reached the rank of professor, unlike the rest of the panel. I am a senior fellow of the Institute for Government in London, where I lead our research programme on devolution and intergovernmental relations.

Q165 **Chair:** Thank you for those very concise and helpful introductions. To get things kicked off, I think you have been briefed about the particular interest we have in this inquiry on the four-nations approach. I want to start by asking all of you on the panel for your views about how the four-nations approach has worked, how it has progressed, if you have seen any particular issues that either interest you or concern you, and any comment about how you have seen it evolving since weeks ago now—I think in late February, early March—when all this started.

Professor Bauld: I think it is clear to all of us who have been observing this that there has been some attempt at a four-nations approach, particularly early in the pandemic. There was similar messaging coming from the UK Government and the devolved nations. I think that was necessary and important because of the scale of the challenge that the UK faced, but as time has gone on, and particularly in relation to releasing the lockdown, there has been increasing divergence between the UK four nations. From a public health perspective, that has not always been a positive thing. There have been problems with lack of transparency, there have been issues in relation to intergovernmental co-operation and I think the public have been confused about some of the approaches.

A final point I would make, and I will mention this again if I get an opportunity, is that although health and public health are devolved in the

UK, a pandemic of this scale demonstrates that we need a UK approach to tackling this type of issue. What happens in London or in the north-east in relation to a respiratory pathogen affects the Scottish population. Lack of public health capacity is an issue across the UK, and if there is lack of capacity in England in its response, that will affect the health of Scottish people. It is an issue that cuts across all four nations.

Q166 **Chair:** Professor Bell, what is your take on the four nations? Has this been a big moment for devolution? Where does it leave us in how the four nations come together on issues such as this?

Professor Bell: I agree with Linda to a large extent about the timeline here. In the initial period there was more co-operation than has been evident in recent weeks. At the start the seriousness of the pandemic was underestimated, and that caused a number of difficulties. One of the things that I am concentrating on is what has happened in care homes, and that has happened across the country. It seems like the messaging and the relationship, in particular between the NHS and care homes, did not work brilliantly well.

I agree about the transparency. It has sometimes been difficult to see why decisions have been made. Clearly with a pandemic it may be appropriate to take actions in different places at different times, but there has not been the same sort of overview about the development of the pandemic across the whole of the United Kingdom.

Q167 **Chair:** Professor McEwen, you obviously have some comments about the devolution aspect of all this. What have you observed? Is there anything that you think might be of particular interest to this Committee if we look at some of the more constitutional things?

Professor McEwen: The first thing I want to encourage the Committee to do is reflect upon what you mean by a four-nations approach. To my mind it does not necessarily mean a uniform approach, but it is something that would reflect the way in which decisions are made and the kind of procedures that are in place to enable the different Administrations to come together to explore the ways they might want to do things uniformly. They might want to adopt a common approach and agree on the areas where they do not want to do that, for whatever reason. Perhaps we can come to that a little bit later.

If you look back to the early phase and the action plan document of 3 March, that looks to me very much like an intergovernmental document. It speaks in the language of intergovernmental relations and seems to be something that has been co-determined and shaped by all of the Administrations. When you get to documents later in the process, it is much less so. We know from the procedures that were in place through Cobra and the MIGs—I think we will come on to talk about the Ministerial Implementation Groups—that these are not really intergovernmental bodies. They are creatures of Whitehall that the devolved Governments have been invited to attend. To some extent that might have been

appropriate because it was an emergency, and that seems to have worked and facilitated the co-ordinated approach in the early stages. Clearly that is less in evidence now.

Q168 **Chair:** We want to get to some of the machinery and intergovernmental infrastructure, and we have particular questions on all of that. Mr Paun, I know you have been having a look at this in the Institute for Government. What are your observations? Do you think this has been a worthwhile approach to dealing with these issues, and are there any issues or tensions that you have observed?

Akash Paun: A lot of the key points have been made by the other three witnesses. I agree that we have seen quite a significant change since the early period of the crisis. There is something about that early phase of the big breaking national crisis, with all the uncertainty and requirements to respond at pace, which provided a quite unusual context in which the Governments were all very willing to put politics aside and come together in very much a crisis response kind of way to do things like develop the four-nation action plan. As Nicola McEwen has just said, that was a very unusual example of a document jointly produced by all four Governments. The Governments were literally at that stage on the same page, and then we saw it with the Coronavirus Act that was jointly produced between the Governments and we saw it with the announcement of the lockdown, but things have changed very much since then.

A point that we have tried to make at the Institute for Government, echoing what Professor McEwen has just said, is that four-nation working certainly does not imply there should be uniformity across the country. There are good reasons why the different Governments and the different nations might wish to diverge, but our concern is that we have started to see that divergence is not driven by any clear difference in the evidence or even any clear differences in principles or in the priorities of the different Governments. To some extent, divergence seems to be emerging almost by accident as a by-product of the weakening of the systems for intergovernmental co-operation, information sharing and dialogue, which we will come on to shortly, as you have just mentioned.

Q169 **Chair:** We will indeed, thank you for that. Can I ask a little bit about this divergence? I presume you are going to tell me that all the devolved Administrations are securing the same science and evidence that is shared widely across the United Kingdom. I presume you are taking that as a given. Why do we then have this divergence? What impact is this having on the joint working across all these Administrations? I have asked this of other witnesses to the Committee: do we still have something that we can refer to as the four nations, given what we have seen with the divergence in the past few weeks?

Professor Bauld: To comment on the point about the scientific advice, I do not think it is consistent. The big issue that we have had is that the evidence that was being fed into SAGE early on was not transparent at all. Key scientific advisers and people working within the Scottish Government

were not able to see transparently the kind of advice that SAGE was providing. That was a big problem, and it has changed now. Then Scotland formed its advisory group quite late at the end of March. I think the Governments are getting some different advice, maybe not on issues to do with the best type of testing or PPE, or those kinds of issues, but more about what is prioritised for risk and crucially, I think, how the different disciplines on those groups are dominant or not.

Even though SAGE and the three expert groups that feed into it have very eminent colleagues on them, they are almost devoid of practical, on-the-ground public health experience. The Scottish advisory group is a relatively small group, and I think there has been some quite dominant advice about following other countries' examples and taking a more cautious approach. Some of the science and some of the advice has been different in the four nations but, crucially, at the beginning there was a lack of transparency about what science was feeding in and how that would affect Scotland in particular.

Q170 **Chair:** Could I come to you, Mr Paun, on that very issue? I think what we were hearing at the beginning of the crisis was all about the science and the evidence, but increasingly we are hearing now that scientists advise and politicians decide. We are seeing a bit more of that. Is that a feature in how the four-nations approach is working itself through, particularly as we are coming to this issue of divergence?

Akash Paun: Yes. In the early phase of the crisis it was understandable that there was almost a single-minded focus on public health and the epidemiological data. The priority of all the Governments was quite clear that the spread of the virus had to be brought down as quickly as possible, or once it became apparent that the initial approach was not having the desired effect. Now we are certainly in a period where there is more focus on what are the appropriate trade-offs between different considerations.

Health versus economic considerations is a key trade-off, but there are also effects on other kinds of public health issues, mental health or people not getting treatment for other issues because of the focus on Covid. The decision-making process naturally becomes more complicated because there are more factors being taken into account. I believe that the transparency of how some of those decisions are being made could certainly be improved. Overall, when you look at the Scottish Government and the UK Government, there is a greater degree of transparency about the Scottish Government's decision-making approach. I do not say that with any party political hat on, but I think there has been a greater openness that the UK Government could learn from.

Professor Bell: Just a simple point. Even if the scientific advice had been identical on both sides of the border, Governments take different attitudes to risk. It is clearly possible that one Government want to take a more cautious approach than another. It seems to me that that is in the nature of politics. Even if the scientific advice had been consistent, there would have been that issue.

Q171 **Chair:** Professor McEwen, do we still have a four-nations approach, or is it more or less done?

Professor McEwen: I would not get hung up on this idea of the terminology of a four-nations approach. We still have a virus, it still does not respect borders and it still needs to be dealt with. That will require the Governments to find some way to work together and collaborate, sometimes to do things differently, sometimes to do things together and to be held to account for their actions. That is still very much with us, and the issues of economic recovery will equally require co-operation and communication between the Administrations for quite a long time to come. You still have an issue that requires to be addressed, whether or not you can describe it as collectively a four-nations approach.

Q172 **Andrew Bowie:** I was taken aback when Professor Bauld spoke about the confusing nature of how we do government in the United Kingdom. My politics lecturer, who was German, threw his hands up in the air in despair at the "messy nature" of devolution in the United Kingdom compared with what he regarded as the perfect model of the German system. Professor Bauld in particular, do you think the messy nature of how we do government in the United Kingdom has hampered our efforts to combat coronavirus in the UK?

Professor Bauld: I think so, absolutely. I would not say it is the main reason. Let's be frank, and I should have said this at the beginning, we have done appallingly badly by international comparisons with our excess mortality. I think Spain is the only country in Europe that is slightly ahead of us. We have not handled this pandemic well in any part of the UK. I am not a political science expert, and I am not an expert in intergovernmental workings or the sections of that, but I think it has been very confusing. I also think it has been confusing for the public about what the processes are, and the guidance has diverged.

Germany is an interesting example, though, and we can come back to that. I would not entirely agree with your colleague. Their system is also very complex, and the authority that the Länder have, and within that the smaller communities, where their public health systems and public health autonomy is quite strong, have in some ways been part of their success. But certainly the different structures we have are not straightforward and might have contributed.

Professor McEwen: Obviously Germany has a different type of system than the one we have. It is a system where co-operation is built into the mechanisms. Co-operation between the federal Government and the Länder is built in in way that it simply is not in the United Kingdom. But I think one of the biggest features of the UK that marks it out from other places and contributes to the confusion is the asymmetry that we have and the fact that the UK Government have two hats. The UK Government are simultaneously speaking for the UK as a whole and also acting as the Government of England.

That has been at the source of some of the confusion in the public health messages, where it is not always clear and it has not always been made clear when the messages are directed at England alone and when they are directed at the UK as whole. That is an unusual feature of our system and, barring any demand to change it from within England, I think it is one that we will have to live with, adapt and ensure that the clarity of messaging is there.

Akash Paun: To follow up on the unusual double-hatted nature of the UK Government, as it was put, I think that has been a cause of confusion at various points of the Government's response to coronavirus. We saw it, for example, with the target of 100,000 tests per day, when there was a degree of complete confusion about whether that was for England only or for the UK as a whole. I think we see it now with the Joint Biosecurity Centre that is supposedly being set up to collect and analyse data for the whole of the United Kingdom but, unless something has changed very recently, it is still rather unclear whether that is a joint centre in the sense of being joint between the four Administrations. Certainly we saw it with some of the public announcements, such as the Prime Minister's announcement of the easing of the lockdown in England.

Those are structural problems, but that is the nature of our system. The UK Government could do better in being clearer about when they are speaking for England alone and when they are speaking for the whole UK, and therefore the different nature of the intergovernmental relations that they would need to develop, depending on the issue at hand.

Q173 **Andrew Bowie:** One of the things that raised its head, as raised by everybody here, has been confusion as to who is ultimately responsible for some of the decisions being taken. It seemed for a while at the beginning of the pandemic that your political view or your constitutional view determined which Government's advice you were going to follow, and there was confusion. Was it the Secretary of State for Health, the UK Government, who was ultimately responsible; was it the Minister for Health and Sport in Scotland who was responsible; was it the First Minister; or was it the Prime Minister? Mr Paun and Professor McEwen, do you agree with that? How would you improve upon that if we ever, God forbid, have to go through this again?

Professor McEwen: It is unfortunate that constitutional politics pervade every issue in Scotland, perhaps also including this one, although not in ways we might expect. There have been some suggestions that the Scottish Government, so keen to set aside the constitutional politics of the normal everyday to focus on the pandemic, might have not taken a different approach when perhaps some international examples suggested that they do. Likewise, an encouragement to uniformity sometimes seems to be driven by where one stands on the constitutional issue, rather than because uniformity in and of itself would be a positive outcome. It is unfortunate if that is the case. Perhaps I will leave it there.

Akash Paun: This crisis has been quite revealing in highlighting some of these unresolved questions about how the UK Government understand devolution. As far as healthcare is concerned, which has of course been the public service and the area of policy most affected and most in the spotlight during this crisis, it is noteworthy for being very heavily devolved. For most of the period since 1999, the Department of Health—or the Department of Health and Social Care, as it is now—has been almost entirely concerned with the English NHS and public health questions about England.

We have seen over the last few months, in quite an unusual way, I think, the DHSC and the Secretary of State for Health trying, to some extent, to take on the role as lead co-ordinating authority for health issues across the entire United Kingdom. I do not think they have the systems and the culture in place to work in a genuinely intergovernmental way. We have sometimes seen confusion arising from that when announcements are made, as if the Secretary of State for Health is responsible directly for healthcare in Scotland, Wales and Northern Ireland.

Q174 **Andrew Bowie:** Do you think that the lack of a guiding force identifying the decision-making process and how those decisions have been made—the transparency of how those decisions have been made—has added to the confusion because there has not been a co-ordinating body at the top of it all?

Akash Paun: We may come on to that soon, but I know this Committee, at least in the previous Parliament, recommended that we need stronger, more systematic systems of intergovernmental relations in general. That was very much brought to light during the Brexit process. It is even clearer now that, where there are big issues that do not respect borders, such as a big pandemic, you need proper systems for trying to reach joint decisions that do not necessarily impinge upon the autonomy of the different Governments, but that at least try to develop consensus between the Governments.

Chair: I can see that two of the professors want to come in, but I am going to pass over you, if that is all right with both of you. You will get an opportunity to come back in.

Q175 **Wendy Chamberlain:** Thanks to all the witnesses for appearing today. My first question is about some of the specific intergovernmental mechanisms that exist. As Mr Paun said, a previous Scottish Affairs Committee described the Joint Ministerial Council as being at the heart of the UK's formal system of intergovernmental relations. We had the Secretary of State for Scotland here a few weeks ago, who said that the JMC had not met during the pandemic and that MIGs were being utilised instead and were being used sometimes two or three times a day. Then, worryingly, last week we had the Cabinet Secretary for Health state that the MIGs were no longer meeting and there was an appearance of a kind of vacuum. I have two questions: is "vacuum" a fair assessment, and does this demonstrate potentially that the existing intergovernmental mechanisms are no longer fit for purpose? I will go to Professor McEwen in

the first instance because I know she wanted to come in previously.

Professor McEwen: It has been regarded for a long time by many, including myself and I think Akash as well, that the JMC is not fit for purpose. Had it been used in this instance, I think its weaknesses and limitations would have been exposed, so it would not necessarily have been better than the devolved Governments having access to the Whitehall Committees and implementation groups, as was the case in the first phase. That does not make it okay, but it is a reflection of the fundamental problems in the system and the intergovernmental issues that we have. There is a longstanding need to address that, particularly for issues like this, but also for issues like Brexit and its aftermath. There really is a need to sort that.

If you have better functioning intergovernmental machinery—and this is to return to a point that Mr Bowie made—that does not necessarily help you with the capability. In fact, it could have completely the opposite effect because it may not be known which Government are making which decisions and where the contributions are. I would encourage the Committee to think very carefully, as recommendations are made for enhanced intergovernmental machinery, that you embed into that processes of enhanced scrutiny of intergovernmental decision-making. That is fundamentally important for democratic accountability.

Wendy Chamberlain: Mr Paun, would you like to come in on this?

Akash Paun: Yes, certainly. Thanks for the question. It is not a particularly positive development that the systems that appeared to be serving a useful function in the first period of the crisis—that is the Ministerial Implementation Groups, as well as Cobra—have now ceased to operate, apparently, according to the evidence you took last week from the Scottish Minister and also from what the Welsh Government have been saying, without any consultation with them before that decision was taken.

As I understand it, the plan is now, or perhaps it has already happened—members of the Committee may know—to replace those Ministerial Implementation Groups with two new Cabinet Committees on coronavirus strategy and coronavirus operations, which I think are the terms. The Government seem to be basing that model on the Cabinet Committee structure that was used during the latter phase of the Brexit process. There is obviously a view that that worked well in ensuring a kind of cross-Government discussion of the various issues that arose in responding to coronavirus whereas, as I understand it, the Ministerial Implementation Groups were seen as creating rather separate sectoral discussions. I believe that is partly the reasoning behind it, but as far as the Scottish Government are concerned, I think it is yet to be clarified whether Scottish Ministers and Ministers from the other devolved Governments will be invited to meetings of those new Cabinet Committees. I think the UK Government should clarify that as soon as possible, and the Committee should put pressure on them to do so.

As a final point, I had a look today at the official list of Cabinet Committees on the gov.uk site, and it has not been updated since July 2019. I think that says a little bit about the Government's perhaps not very strong commitment to transparency about these things.

Q176 **Wendy Chamberlain:** I appreciate that Cobra and the MIGs are designed as crisis management tools, but the fact we are still potentially waiting for a replacement is worrying.

I will move on to my other question about the role of the Scotland Office. Do you believe it has supported intergovernmental work during the pandemic? How useful do you think it has been, given that we have had, up until recently, these other tools? Professor Bauld, is there any other work that you believe the Scotland Office could have been doing or should have been doing during the pandemic?

Professor Bauld: Without being able to comment on the specifics of its role or functions, I would briefly say I am not persuaded that it has had enough direct interaction with researchers and academic experts working on this topic. It is often useful for different areas of Government to have direct contact and use that direct advice, even if other groups exist like the advisory group to the Scottish Government, like SAGE and its expert committees. That can strengthen their capacity to respond, and I am not persuaded it has had that at all.

Q177 **Wendy Chamberlain:** My wider question is what role do you believe the Scotland Office should be taking in managing and supporting future intergovernmental work? I open that to any of the witnesses to respond.

Professor McEwen: The Scotland Office role is twofold, essentially. It is to represent the interests of Scotland in the UK Government and to represent the UK Government in Scotland. We have no idea of the extent to which it does the former because that is a private thing within Government circles, and that is not transparent. I think it does the latter and that might perhaps inhibit its secondary role, which was always intended to be a way to unlock Whitehall for the Scottish Government. It does not do that and the Scottish Government, as far as I am aware, do not look to it to do that. They prefer to nurture relationships directly with Whitehall portfolio Departments, and if there is any unlocking needed, it now tends to be done by the Cabinet Office. I would say the Cabinet Office is the main interlocutor for Scottish Government officials looking for that kind of access to Whitehall and the promotion of devolution issues in Whitehall.

Akash Paun: I think the Scotland Office does serve a function within Whitehall as a centre of expertise to some extent, or institutional memory, perhaps better put, about the Scottish devolution settlement. Also it holds contacts, relationships, networks in Scotland that can prove useful to some extent to other Departments. It has never been, or not for some time, the central player in managing intergovernmental relations. Ministers in Scotland have often been clear about this. If they have an issue to resolve

with the UK Government, they prefer almost always to deal directly with their sectoral counterpart, whether that is a Health Minister, the Secretary of State for Environment, Food and Rural Affairs or whoever it is, depending on the issue. If there are more serious issues to resolve, big political disputes, the escalation would more naturally go, as Professor McEwen said, through the Cabinet Office. At the political level, in the end, it would be the Prime Minister or, if it is a financial question, the Treasury Ministers who might get involved. I do not think the Scotland Office is a central player in that way.

Q178 **John Lamont:** Good afternoon, witnesses. My question is to Professor Bauld initially. What types of advice would you expect the Scottish and UK Governments to be getting—scientific advice, medical advice, economic advice—as a primary source during the different stages of this pandemic?

Professor Bauld: I think you need an interdisciplinary expertise. This crisis is wide-ranging and has multiple different aspects, as you know. Clearly there has been advice from virologists, modellers and clinicians, and they have been very dominant. That is very important, particularly early in the pandemic, as is genetic research, as we need to understand the virus and how it is being transmitted. Then we also need behavioural expertise, and I think there has been that on both the Scottish group and SPI-B, which is one of the SAGE expert groups.

To go back to one of the previous questions about intergovernmental functioning in other countries, there are models where they have a specific intergovernmental committee set up with the all key players involved to address this pandemic. The Royal Society of Edinburgh's paper will tell your Committee about Australia, but Singapore provides another excellent example, as does South Korea, of bespoke intergovernmental groups. They have drawn on probably a wider body of advice.

One of the things that has been missing is public health input, and by that I mean people who are used to running public health systems, such as people who have a background as a director of public health and have had day-to-day contact in relation to or experience in infections. Having somebody with that expertise chairing particular committees would have been more appropriate. That may be changing now, but I would see that as a gap.

That is not my own background. I come from the behavioural side, but I realise there has not been enough of that. That explains very clearly for me why some of the basic things about how you deal with an infectious disease pandemic—testing, contact tracing infrastructure and sharing information between different public health teams—we have not done very well until later in the pandemic.

Q179 **John Lamont:** Thinking about the experts who do not sit on the advisory groups, how have the decisions of the Scottish and UK Governments been communicated out to them? Do they have an opportunity to give feedback into the groups or to the people who sit on these panels?

Professor Bauld: That is a very good question. I would say not well enough, in summary. David or others can comment on the mechanisms. The royal societies have played a valuable role—the Royal Society and the Royal Society of Edinburgh—and Wellcome and some of the other funders have convened groups where we have been able to feed in either to Committees like this or elsewhere. But there is not a specific mechanism for direct lines between wider academia and those sitting on the advisory groups at UK or Scottish level, and I think we would all welcome that. There certainly are informal ones, because obviously those people cannot do everything and they need to pool the skills and expertise of their colleagues to get the best advice to Government bodies.

Q180 **John Lamont:** I noticed at the start when you introduced yourself that you said you are a behavioural scientist. I was thinking back to what the First Minister announced today, that the new slogan in Scotland is going to be "Stay safe, protect others and save lives" and comparing it with the criticism she levelled at the UK Government when they changed their slogan to "Stay alert, control the virus and save lives". From a behavioural perspective, are you able to distinguish what those two messages might be doing differently or are they effectively the same?

Professor Bauld: To be perfectly clear—and I know this from my colleagues who are involved in UK Government advice—the "stay alert" message was not developed by the scientists on SPI-B or any of the other behavioural experts, academic experts, feeding into the process. It was a very quick message that was developed by communication experts who work with Government, which is different from thinking about all the behavioural levers. I do not think it was or is a very useful set of slogans. Scotland is being more cautious. Stephen Reicher and others on the Scottish Government group are eminent behavioural scientists who will be feeding into that, and I think it is a sensible message.

What I would say, without going on too long, is that it is jolly confusing for the UK public to have all these different slogans, different rules about whether you can meet 10 people or eight people; whether it is two households or whether it does not matter how many households; how many times a day; or whether you can use the toilet when you go through the house to somebody's garden. Most of that is not science-based. I think it is about Governments, in some cases, trying to be a little bit different, and that has been quite frustrating for members of the public.

Professor Bell: I certainly feel that as wide a range of experts as possible across as many disciplines as possible. There should be some economists in there, because a lot of this is about trade-offs and we are getting into trade-off territory now. Perhaps the Scottish Government have been more open but, as Linda said, the lack of a clear, specific mechanism whereby people outside the advisory group get their opinions across to those inside has been a bit of an oversight.

Q181 **Deidre Brock:** Professor Leitch indicated last week that the Scottish Government and their advisers had only peripheral involvement in the

decision-making about the Joint Biosecurity Centre. He also made the point that Scotland has its own level of intelligence gathering, but he did say that if the system could be engaged with safely—I think those were his words—and add intelligence to our decision-making in Scotland, he would advise engaging with it. However, he did not think all those criteria had been met yet. Professor Bauld, how do you see the Joint Biosecurity Centre acting as a mechanism for providing information to the advisory board?

Professor Bauld: I agree entirely with Professor Leitch on that particular topic. It is still quite unclear what the role of that will be. I also think, as Andrew and others were asking at the beginning, that it is a good example of the UK Government going ahead with a particular initiative, embracing it and being very enthusiastic about it, because to the public anything with "biosecurity" in the title sounds serious and is something to be taken account of. It was quickly announced without adequate consultation, so that is a concern.

The Scottish Government are right to look at that very carefully, but also in the academic community, including in public health, the biggest question we have about the role of that centre is about data protection and data security. Let's face it, we know from studies that the level of concern of the UK population about privacy and data security is one of the highest in the world, much more than, for example, in south-east Asian countries where maybe Government messaging has been better or they have not had some of the concerns or scandals around private information that we have unfortunately had to experience. That is one thing that we need to be extremely cautious about.

Finally—I will stop talking in a second—that centre is not a replacement, as we move out of this pandemic, for tried and tested measures, particularly test, trace, isolate, and public health infrastructure. Data is not going to solve this problem. It is part of the picture that solves it.

Q182 **Deidre Brock:** That is very interesting. One of the things that was pointed out is the difference in alert systems between Scotland and England and, given that, what kind of output you could expect from the biosecurity centre in Scotland. Are you able to give a view on that, whether that might be possible or if there is a way of getting around those differences?

Professor Bauld: I am not so sure. I would need to know a little bit more about their plans, which are not entirely obvious.

Q183 **Deidre Brock:** On the data, we have just heard that the UK Government have abandoned their coronavirus tracing app, and at what cost we have yet to discover. I think it is about to be announced that they are going to be shifting to the more established Apple-Google method. The Minister made it clear last week that the Scottish Government had no involvement in the setting up of that particular app. Do you think there is still a place for centralised data collection? Can you see a way of making it work, given the doubts you have expressed regarding GDPR and the protection of data?

Professor Bauld: Yes, I think there is a place. I do not want to be disparaging of the role of that, because it is crucial. Focusing on the app very briefly, if you look at the countries that have handled this pandemic well, their approaches to that type of technology have been different. For example, New Zealand, which of course is heralded as an international success, does not have an app. It is now in the process of introducing one but, as you know, until this week it had no cases for many weeks. In Vietnam it is not mandatory; Singapore introduced it early on; and in Canada one province has embraced it and the others have not.

What I would say about technology, as an add-on on top of bread and butter contact tracing, is that it has the ability to identify where somebody has been and where they might have been in close proximity to others they were not aware of. As we move out of lockdown that information will be very important. I would like to see a digital solution on top of what we already have. It is obviously disappointing that we are not further ahead.

The final point is I still don't know why we had to recreate it in the UK. There were good models, the software was available from elsewhere, so we could have just used more of the approach from one of the other countries.

Deidre Brock: I think there is quite a lot of agreement around that.

Akash Paun: On the Joint Biosecurity Centre, I alluded to this point before, it was clearly the intention of the Government when this new initiative was announced—I think it was on 11 May or so—that this would be a UK-wide body that would not just collect and analyse data from all the nations of the UK, but would inform the decision-making process by all the levels of government. I saw a quote from the Department of Health in an article in *Civil Service World* earlier this month making it clear that the idea was to provide a single authoritative information picture to local, regional and national decision makers.

I think that was the intention, but it obviously had not been agreed with the other Governments. Therefore, when you look back on it, it does look rather that the Government, the Prime Minister perhaps, wanted to have a big impressive-sounding initiative to announce, but they had not worked out the details of what that was going to look like in practice. I think the question marks about how the devolved Governments will be involved in it remain.

Q184 **Alberto Costa:** Good afternoon to the panel. I have some questions in respect of transparency, and my first question is to Mr Paun. The Institute for Government concluded that there may be legitimate reasons for divergence between England, Wales, Scotland and Northern Ireland if they are based on shared evidence and transparency. To what extent do you think that the current Scotland and the rest of the UK decision-making processes reflect those principles?

Akash Paun: As you say, our report, which I think we published just before the Governments started to diverge on how to exit from lockdown, essentially concluded that four nation co-ordination was a positive thing but that it did not preclude divergence and that divergence, if it were to happen, as it subsequently has done, ought to be based on good reasons. That might be clear evidence that the scale of the public health crisis was different in different parts of the UK, or it might be other legitimate political judgments about trade-offs and so on, as we have been talking about.

You ask about transparency, and I do not think we have as much data as we would like to see. In a way that is always true, but I think other countries, from what I have seen, may be doing this better by putting out into the public domain clear data on the R level or the number of positive and negative tests and so on—those kinds of key indicators—at the subnational level. When you look at the UK Government's coronavirus data portal, the data on the number of tests being carried out is incomplete. There is the issue about double counting and so on. As far as the R rates are concerned, there are competing models and it is complicated to calculate. I am not an expert on that, but you can see there have been competing claims made at different times about whether, for example, the reproduction rate was higher in Scotland than in England. That seemed to be the view of both the Governments about a month ago. It now doesn't seem so clear that that is the case following the publication of other models for that figure.

It is quite difficult, to put it in a nutshell, to draw a line between specific datapoints and some of the decisions that are leading, as Professor Bauld said, to these quite odd, small differences in some of the regulations that do not clearly reflect a particular piece of evidence.

Q185 **Alberto Costa:** Perhaps expanding on that, Professor Bauld, and I know you have already touched on it, but has the advice provided to the Scottish Government and the UK Government been transparent enough? I am thinking here of SAGE and the Scottish Government Advisory Group on Covid-19. Have those concerns over transparency been sufficiently addressed by both Governments?

Professor Bauld: If we start with the Scottish group, I think that has been much better. It was set up too late, as a personal view, and not all the experts were on it at the beginning, but it does publish its minutes and it has been doing that regularly from the beginning. They are very brief, but I think that is a good model. I do not have any real concerns there, although clearly all the academics would like to see all the papers, but that is not always possible.

It is quite different at UK level. I think it has been somewhat resolved now but, as I pointed out earlier, not being able to see the papers from SAGE at the beginning, not even knowing who was on the group, that was all completely unacceptable, completely unnecessary. Independent SAGE had to be set up, and I think that is providing useful, critical, alternative views at the moment. We are in a much better place now.

To speak to Akash's point about the data, however, there is an obsession with the R number, which is not the data that we need. We need to know how many people are being tested and how many positive tests there are in each locality. We then need to know how many contacts they have had and what proportion of those have been contact traced, whether they are isolating. That is the kind of data we need moving forward. The scientific evidence and the transparency is much better now than it was, but the early days were part of our inability to respond in a number of respects.

Professor Bell: I agree with Linda that the obsession with R has pretty much driven me daft. I should say on data that the ONS, but particularly National Records of Scotland, has made a huge effort during the pandemic to bring together data that gives us a much better picture of what is going on and has, for example, allowed us to understand much better the number of deaths in care homes across different parts of the country. The data at that kind of level is better in Scotland than in the rest of the UK. I was convening a group this morning, and we are going to do a UK study around care home deaths. It certainly seems to me that that task is easiest in Scotland.

Q186 **Alberto Costa:** My final two questions are to all panellists. It is about communicating the message or communicating the decision-making process. We touched earlier on the "stay alert" message and so on, but do you think the UK and Scottish Governments have been fully transparent in communicating the decision-making processes behind decisions and exit strategies?

Professor Bauld: At the UK level, absolutely not. It is not just an academic perspective; I think the public can see that. This issue of following the science and then being informed by the science, announcements coming out at the last moment, no intergovernmental structure that is functioning as it should be to make joint decisions, I think it has been very confusing how the decisions have been made at UK level—not all decisions, but some decisions. In Scotland it is not perfect at all, but I think the First Minister is far better at communicating these things. That is the first point. In some ways the structures are not simpler, but she has been able to say where a decision has come from, such as the CMO, the advisory group or wherever else.

Q187 **Alberto Costa:** Could you give an example of where the First Minister has been able to say where the decision has originated? I can think of a number of examples where the Prime Minister and other Secretaries of State have evidenced in the Downing Street press briefings how the decisions are made. Could you evidence one or two to back up that comment?

Professor Bauld: Sure. I am thinking specifically of issues to do with, for example, why Scottish schools are not opening until the summer. As you know, they have set up an education advisory group, which John Swinney is overseeing. When that decision was made, I think there was a fairly clear explanation of why that was or was not happening. I also think for the decision on why people in Scotland are still being shielded, unfortunately,

until 31 July, there was not only a specific paper showing the risk factors for the Scottish population, but the CMO was also able to say, "This is clinical advice and we have asked the advisory group." I am not for a moment saying that all the decisions have been more transparent in Scotland, because clearly there are so many of them. You could criticise any Government on that.

Q188 **Alberto Costa:** Could you give me an example of where you might want to criticise the Scottish Government for not being transparent in communicating its decision-making process? You have given examples of where they have. Can you give an example of where they have not?

Professor Bauld: Some of the more recent decisions about the pace are unclear to me. For example, we heard today that hospitality venues that can operate outdoors are not going to be able to do that in the near future in Scotland, which I think is going to cause a lot of problems for that sector. Also some of the other decisions around releasing the lockdown and, as Akash just said, some of the inconsistencies in the details of the advice. I have no idea where those are coming from and, to be perfectly frank, when I have spoken to some of my colleagues who sit on the advisory group, it is not obvious where they are coming from. So not everything has been transparent at all.

Q189 **Chair:** I was listening to the First Minister talking at Parliament today about moving into phase 2, and there was an awful lot of information in that. I was even starting to get a little bit bewildered about what I was allowed to do and not allowed to do. It seems to me that the public are being bombarded by information from the Scottish Government and the UK Government. Have we any evidence yet about how this is impacting on how receptive the public are to the messaging that has been put across by both Governments? Does it tell us that they are listening to it, that they are taking it on board? I think the stay at home message was quite clear—it was very straightforward and simple, you just stayed at home—but now we are moving into these different phases and steps. I know we have over-burdened you, Professor Bauld, but maybe you could help us with this. Is there any evidence at all that tells us the public are getting this, taking it on board and responding to it positively?

Professor Bauld: I will be very brief from a behavioural perspective, because David will have a lot more to say on this. You can look at surveys that show trust in the messaging from different Governments is higher in Scotland than in England, but we also have high-quality, representative surveys showing that there are significant groups in the population that are confused, have raised anxiety levels because of confusing messaging or do not trust the advice and are therefore not following it. I think you are right, the stay at home message was simple. This period is far more complex, and I think some groups in the population have interpreted the divergence in advice between UK Governments as an opportunity not to follow the guidance, and that causes me a lot of concern.

Professor Bell: Linda pretty much stole my point. It seems to me that both Governments have a very difficult task to go from an extreme lockdown to one whereby they need to encourage people to get out into the community and start interacting again. We are being presented with a variety of risks, but we know there are risks down the line if we do not get the economy going again. One of my particular concerns is that there will be a group of people who, as Linda said, are just very, very anxious and will not be willing to go out and help the economy function in the way that it was functioning before the pandemic. That perhaps creates further problems, perhaps health problems as well as economic problems, down the line.

Chair: Very briefly, Mr Paun.

Akash Paun: To echo that, the polling and survey data I have seen from YouGov and Ipsos MORI, for example, is pretty clear that there has been a quite sharp decline in confidence in the UK Government's handling of the crisis and a declining view on the proposition that the communications about what to do are clear. But, yes, I do think the point is well made that it is a lot easier to have clear communications when the message is quite categorical. Certainly some of the decline is presumably just because the picture is more complex and people have to take into account various different considerations. It will certainly be an interesting test for the Scottish Government now they are moving into this next phase of opening up, whether the currently very high levels of confidence are maintained.

Q190 **Sally-Ann Hart:** Good afternoon to all our witnesses. I am going to ask some questions about intergovernmental relations. You are probably all aware that the Scottish Affairs Committee published a report in 2019 on intergovernmental relations, which made a number of recommendations. They were much to do with the JMCs, transparency and so on. Mr Paun first, and then Professor McEwen, do you think the coronavirus pandemic might give a platform to improve the future of intergovernmental relations between the UK and Scotland?

Akash Paun: I would like to be able to make an optimistic prediction. There has been, over many years, a recognition—and this point was made earlier by Professor McEwen—that something needs to be done to improve intergovernmental working. The UK Government have committed at various points since 2014 to a review of the intergovernmental relations machinery, rewriting the memorandum of understanding and taking all this stuff more seriously. Brexit obviously made it even clearer that there were big issues that the UK and the devolved Governments had to resolve between themselves. There is lots of unfinished business there around common frameworks development, devolved input into trade negotiations and so on.

Then coronavirus, yes, has absolutely shown that there is another set of issues where good government rests on co-operation and information sharing between the levels of government. There is clearly what ought to be a platform for this to be taken more seriously. Whether it will translate

into action, I would not want to put any money on it. It emerged just this week, as the Committee will probably be aware—it was news to me—that the intergovernmental relations review has apparently restarted, at least in terms of some of the official working groups having got back up and running after a period when they were not doing much. That is what the Welsh Counsel General, Jeremy Miles, told a relevant Committee yesterday. So the issue is on the agenda to some extent but, in the end, change will only happen if the UK Government are persuaded that there is a reason to accept some of the sensible recommendations that have been made over the years.

Professor McEwen: Two of the barriers to intergovernmental relations working effectively in the UK have been trust—or lack of trust—and lack of awareness of devolution in Whitehall. One would hope that the experience of working collaboratively in phase 1 of the pandemic would have helped to alleviate some of those problems.

That said, I share Mr Paun's pessimism about this. I find it unlikely, I am afraid, that it will have a lasting positive impact on intergovernmental relations because what we have seen in the most recent weeks is rather typical: a lack of early communication on developments, a lack of co-determination of policy decisions and a lack of joined-up working. I am convinced that that, more than anything else, is why we are seeing the little differences that are contributing to the confusion.

I would be surprised and disappointed if, after we review everything, we see that some of these differences were for the sake of being different. I do not think that is the case. They may sometimes be purposely different and deliberate political choices and sometimes accidental differences that are very minor, but that can contribute to confusion. But you will get that. Unless you expect the devolved Governments simply to comply with decisions taken by the UK Government, you will get those variations in the absence of effective machinery for co-operation and co-ordination.

That is what has worked in the Australian example that was mentioned, though not in every case, I would have to say. In other countries we have often seen centralisation rather than co-operation, but in the UK I think it is a long-running problem. Yes, the IGR review is back up and running. Yes, there is an apparent commitment to address some of the issues, but it has been running for over two years and we have yet to see any outputs coming from it. I am not overly optimistic, I have to say, that it will produce significant change that can address some of these problems.

Q191 **Sally-Ann Hart:** In many ways it is not to do with the issue of devolution; it is to do with the difference in politics that might stand in the way. Is that what you are saying, Professor McEwen?

Professor McEwen: It is partly about politics and partly simply about trust. Obviously there are very big issues that have contributed to, on the one hand, the need for better intergovernmental relations and, on the other hand, the difficulty in creating them. Those big issues are particularly

around Brexit and, in the Scottish case, the politics of independence. It is very difficult to reconcile the differences, but I suppose what we would hope to have emerged out of dealing with the pandemic is that there are some issues that rise above those political differences and some issues where the Governments have a shared interest in working together and setting aside those differences. I think we saw that to some extent in the early phase, and we are not seeing it so much now. That is quite disappointing.

Chair: Is that it, Sally-Ann?

Q192 **Sally-Ann Hart:** I have a few more questions. When we are talking about geography, I know we are quite far from Scotland down in London, but there have been massive improvements in virtual technology. Do you think that will make an improvement? Do you think technology will make a difference on working together on many issues across devolved Parliaments?

Professor McEwen: That is a good question because, in the UK, we do not have the kind of routinised intergovernmental meetings that you often see in some federal systems, where they are already set to a schedule in the calendar. We do not have that, and sometimes the barrier to setting up a JMC is simply finding the space in people's calendars. It may well be that virtual working in this space at least helps to alleviate that particular problem. It does not help you very much with all the other problems: the lack of trust and the lack of confidence to share information and ideas early on.

Professor Bauld: Can I make a general point? This is beyond policy. On virtual working, obviously all of us in academia engage with groups that are London-centric. We are in Scotland and we do not have the same advantages for interaction, or sometimes decision-making, because the UK is still quite centralised, whether it be for funding or other mechanisms. More virtual working, for a range of organisations, might even out some of that bias in power structures generally, and that would be a helpful thing.

Q193 **Sally-Ann Hart:** Just one more question, Chair, if I have time, looking at the different messaging and the regional differences. In Australia or Germany you perhaps have a flare-up of the virus in different regions. Germany, for example, has different rules such as mask-wearing or school decisions. This is probably for Professor Bell. Do you think there are lessons to be learned from how we compare with other countries, such as on how they manage different messaging across one country, and that we could apply that to the United Kingdom? We are obviously going to have natural regional differences in contraction rates. What can we learn from other countries about our messaging?

Professor Bell: In terms of differences across the country, I am pretty sure we are going to get outbreaks in similar ways to the one that is just occurring in China, and it seems to me that you have to empower people at local level to take quick decisions. That is not necessarily at the level of

the UK Government or the Scottish Government; it may be at a lower level still. The question of capacity at local level is an issue that needs to be addressed within Scotland and within the rest of the UK.

Professor Bauld: The messaging is important, but the messaging is not going to be the solution. The responsibility is with public agencies on how we respond to the pandemic, not whether people get or understand what they are being advised. It is not the responsibility of individuals.

The way other countries have done well—and Germany is a good example—is by localised control. Even if the Länder, for example, have different phases for opening up the economy, the schools or whatever, they have good local public health infrastructure that is well funded and allows rapid testing, rapid return of results, rapid identification of cases and their contacts and then contact tracing and isolation. That system works. We need, all of us, to move away from who is following advice or who is breaking the advice and look at whether we have the right infrastructure to deal with the problem, rather than us expecting individuals to take that on themselves. I hope that is helpful.

Q194 **Chair:** Yes, indeed, thank you for that. Before we move on from some of the constitution-related issues—I know that Professor McEwen, Professor Bell and Mr Paun are regular attenders at Scottish Affairs constitutional sessions such as this—have you ever heard anything like this idea of a four-nations approach? What this suggests to me, and you can tell me if I am on the right track here, is that, for the first time ever, there has been a sort of equality across the four nations. If you are one of four nations, you are just one of four nations. Am I right in thinking that this new type of language means that we may be thinking anew about what we have across the UK?

Professor McEwen: The UK has long been quite unusual, if you look comparatively, in the extent to which it has been comfortable recognising that Scotland, England, Wales—I will come to Northern Ireland in a minute—are nations. It is equally unusual in the extent to which these are nations that are encompassed within the idea of Britain as a nation. I think you are right that the discourse of four nations has emerged relatively recently in documents and speeches, including from this Prime Minister, and I think Theresa May used it too. It is a little bit odd, particularly when you get to Northern Ireland, where nationhood is contested. Four nations, at the same time, is used alongside the idea of Britain as a nation, so it can be quite confusing in the terminology. I absolutely accept the point that Linda was making about the infrastructure being critical, but I think the messaging is still important.

Q195 **Chair:** We are going to come to that. I saw a wry smile on Professor Bell's face when that was raised. Is this new lexicon suggesting a new way of working, Professor Bell?

Professor Bell: It is a new lexicon as far as I am concerned. How long it will last, I am not all that sure. So far, the record is not that strong because

it seemed to break down quite quickly. Let's see. Nicola already made the point about asymmetry, and asymmetry is a fundamental problem. Scotland is now only 8.2% of the UK population, and Wales and Northern Ireland are smaller by some degree, so we have this fundamental issue about asymmetry. That may mitigate against this lexicon being long lived.

Chair: I see Mr Paun's hand up, but I am going to have to pass on that just now. I am very conscious of time, and I know we have to let Liz Twist away to be back on Bench duty in the House of Commons.

Q196 **Liz Twist:** Apologies, because I know other people will be asking other questions about the economy. Professor Bell, do you think that the economic impact of Covid-19 will disproportionately affect the Scottish economy compared with the rest of the UK?

Professor Bell: That is a seemingly simple question, but it is quite a difficult one to answer. I think there are sectors that are bigger in Scotland that are going to be disproportionately hit. Tourism and hospitality is one. It is an important, but not massively important, part of the Scottish economy. One that has been indirectly hit, and is particularly concerning, is the oil and gas sector in Aberdeen, which employs around 30,000 people. It is relatively small, but the oil and gas sector is particularly threatened. That is a high-earning sector and, for the Scottish Government's revenues, it is therefore a very important sector because income tax, which is the main devolved tax that Scotland receives, is particularly dependent on relatively small numbers of high-earning people. Other sectors: we had an estimate yesterday that the Scottish economy contracted 18.5% during April, which is a shockingly large, never before occurring event. It is very difficult to say what the trajectory out of this will be.

There is certainly no evidence as yet that Scotland is doing any better, and there is certainly a possibility that it is doing worse, but the trajectory out of this will depend a lot on whether England's more rapid removal of constraints has the desired effect of getting the economy in England going more quickly. Of course there is a risk in a lot of the decisions, irrespective of the science, that are now being made on the relative evaluation of risk on both sides of the border.

Q197 **Liz Twist:** Can I ask about the job market in particular? How do you think the pandemic will affect the Scottish labour market in particular, relative to the rest of the UK? There is a relatively higher proportion of workers employed in the public sector, for example. Does that shield Scotland in any way?

Professor Bell: Scotland has just over 10% of the public sector workers in just over 8% of the population, so it has a somewhat higher share of the public sector, as indeed does London. That may shield it a bit, but the difference is not so substantial that I think it will make a big difference. At the moment, the unemployment rate in Scotland is higher than in the rest of the UK. At the moment, the labour market statistics are very difficult to interpret because the Office for National Statistics basically works on a

three-month lag, so we do not have that in the way that the US labour market has immediate weekly data. We are a bit in the dark as to what the effect is. Scotland's unemployment rate is 4.5%, and historically that would be an unemployment rate that we would be very happy with. We know there is a doubling, a trebling even, coming down the line, but we will not know that until July at the earliest.

Q198 **Liz Twist:** It is too early to make a prediction at the moment?

Professor Bell: Yes.

Q199 **Liz Twist:** Do you think there are any areas of the Scottish economy that are particularly at risk?

Professor Bell: Yes, hospitality. For accommodation and food services, the estimate for the fall during April was 77%. That is a massive drop in output across most sectors. Things like construction were down 40%, and these all make up together a fall in the economy of 18.9% in total. We are exposed in some of these sectors, and it is the sectors that basically have interpersonal relations that are going to be threatened most. The issue partly, as I referred to earlier, is that the interpretation of the messaging by different groups has meant that, going forward, there will be a lot of people who will be very reluctant to engage, irrespective of people being told that it is now safe to go out. They may well be unwilling to do so—this will happen on both sides of the border—and that means we are more likely to see a U-shaped recovery than a V-shaped recovery.

Q200 **Liz Twist:** So flatter at the bottom?

Professor Bell: Yes. I have written about this, and it will mean that in Scotland there will be 50,000 people leaving school or university into a labour market that is essentially, as far as they are concerned, almost inaccessible, and similarly down south. It is this group that I am particularly concerned are going to have bad experiences, because our research has shown that people who enter the labour market at a bad time carry that negative effect, not just for the first few years, but into middle age and beyond.

Liz Twist: Thank you, Professor Bell. With your permission, Chair, I will leave at this stage. I am sure one of my colleagues will pick up the questions that I was going to ask. Is that okay?

Chair: It is indeed. Thank you very much.

Q201 **Mhairi Black:** I want to turn, and this is open to everybody, to the specific recommendations that were made from the national security risk assessment about the management of future pandemics. Does anyone have any theories as to why the Government have not been able to implement any of these recommendations yet?

Professor Bauld: I do not think I can answer the specifics, but pandemic preparedness information has come to light to show that exercises had been done and information had been gathered, but we were not prepared

enough to implement the recommendations. I do not think I can comment on specifics, sorry.

Mhairi Black: That is all right. Does anyone else want to have a go?

Professor McEwen: Again, I cannot comment on the specifics. I suppose one can speculate that the machinery of government has been hugely consumed with Brexit preparations, as was necessary to try to implement that policy, but I have no idea if that is one of the explanations as to why. You would need to ask the Government.

Q202 **Mhairi Black:** Would it have a big impact if they were to implement these recommendations? Do you think that would have a positive effect?

Professor McEwen: I do not have the expertise to comment, I am afraid.

Q203 **Mhairi Black:** Moving on, this question is probably more for Professor Bell. We heard from the Secretary of State for Scotland that the Scottish Government should be increasing testing in care homes and that this might help bring down Scotland's R number. Is that a fair assessment of what has happened? Could you explain a wee bit more about what has happened in care homes?

Professor Bell: The story runs likes this. The initial concern was protecting the National Health Service and we have, as has England, a long experience of people being in hospital when they are able to leave but there is no suitable accommodation available for them. It is called delayed discharge. What we have observed and reported is that there was a massive reduction in delayed discharges during March, towards the end of March. As a result of this, some people went to care homes and some people went into the community. There was a huge priority put on this, and there is a question of whether some of these people had coronavirus and were not tested, and whether that was the vector that led to the quite dramatic effect on Scottish care homes.

Then you have a period where the proportion of care homes in Scotland that were affected went up to about 60% at one point. We look at what are called "excess deaths" to try to get an idea of how unusual the numbers of deaths in care homes were. We take an average for each week in the previous five years and see how far the deaths in each week of this year have exceeded the previous average. The difference is what we call "excess deaths." We were looking at that this morning. What happened was that, about four or five weeks ago, the excess deaths in care homes in Scotland were way above the average. They have now dropped back pretty much—all deaths are regrettable—to where they should be in terms of the overall average. Some of these excess deaths were not called coronavirus deaths. Some were, but the bulk were not and it is not clear as yet. We are just doing some work on getting together a big dataset to try to help us understand this question.

Similar things happened in England, and I would argue that it is something to do with the way that the hospitals and the care homes work together,

the level of protection that there is in care homes and their preparedness to deal with the kind of crisis that they unfortunately have had to deal with over the last few weeks.

Q204 **Mhairi Black:** Are there any obvious steps we should take to minimise excess deaths going forward?

Professor Bauld: What has happened in care homes is a tragedy, because we knew from the data coming out of other countries that were earlier in the pandemic that this virus and the development of this disease, Covid-19, does not affect everybody. I know the public messaging has been that we are all at risk, but we are not in terms of the really bad, poor consequences that can happen. It is hugely burdensome for people with underlying health conditions and older people, so we should have recognised much earlier that care homes were a priority. David has set out exactly what happened.

Going forward, testing is absolutely crucial and we need to protect both care settings and clinical settings. That means regular testing of staff. Tests have to be done at the right time, et cetera, but keeping those sectors functioning is key. It is pillar number one, along with PPE, et cetera, because if we have future spikes they are still going to affect the elderly disproportionately, so that emphasis needs to remain. I think it is getting there. I know there has been a lot of debate in the last couple of weeks about things not happening in the right place in care homes in Scotland for testing, but my understanding is that it has been ramped up.

Q205 **Mhairi Black:** What comparisons, if any, can be made between Scotland and the rest of the UK on how the virus has spread and been controlled? Is there anything you notice from the comparative data, or has it just been spreading the same?

Professor Bell: I would just say one thing, Mhairi. I think it is quite difficult to establish this at the moment, but we are working towards being able to do that. It will take a lot of work because, effectively, what we need to do is to identify exactly where the households are that were affected by the disease—that is not an easy thing to do—and look at how the spread differs. On the one hand, London had a big outbreak, which it seemingly moved away from, and then Glasgow has clearly had its problems. There are a lot of potential causes out there that we need to look at, one of them obviously being deprivation, concentration of population and of course, as Linda has just said, older people. It is the 85-year-olds and over who particularly suffered with this. There is a set of risk factors out there, but we will need some time to analyse.

Q206 **Jon Cruddas:** I want to follow up on that last question, and the question that Liz Twist focused on in terms of the general economic consequences and the choices and trade-offs open to us. I suppose this is directed to Professor Bell. If Scotland wanted to diverge from England, what fiscal levers do the Scottish Government have at their disposal to fund such expenditure? Which levers should they pull? *[Inaudible.]*

Professor Bell: I missed the last bit of the question.

Chair: Jon, can you repeat the last part of your question? I think we were cut off.

Jon Cruddas: What levers should the Government be pulling? What discretion do they have in terms of future public spending, given the divergence, as you pointed out, in terms of the consequences for Scotland vis-à-vis England and the rest of the UK?

Professor Bell: Scotland has limited borrowing powers relative to the overall size of its budget. If Scotland were to use the fiscal levers it does have—the main one is income tax—it could tax more and raise more money and, therefore, spend more on infrastructure or whatever. By taxing more it would be drawing spending power out of the Scottish economy, so the net effect might not be that great. At the moment, the way that Governments around the world are hoping that demand does not fall so that economic activity can be rebuilt is by using borrowing. Scotland, as I say, does not have that much in terms of borrowing power.

Q207 **Jon Cruddas:** So it does not have powerful enough levers to make a real difference as we come through this?

Professor Bell: In a sense, in terms of fiscal effects that are unusual, it is the UK Government's furlough scheme and self-employment scheme that are making the biggest difference. They come straight from the Treasury to people in Scotland, just as they do to people in other parts of the UK.

Q208 **Jon Cruddas:** Can I slightly change tack and argue about the sequencing of public expenditure announcements? This is to Mr Paun as well as Professor Bell. The IFS has argued that Scotland's reliance on Barnett consequentials generated from funding announced in Westminster means it is constantly playing catch-up with the latest funding announcements in England. Have the UK Government done enough to communicate funding announcements to Scotland in advance?

Akash Paun: I have seen that analysis by the Institute for Fiscal Studies, and I have heard it from people in the devolved Governments as well, that the effect of announcements at Westminster on the devolved Governments' budgets is not always immediately clear. Sometimes what has happened is that the initial indicative figures of what Barnett consequentials will flow from decisions relating to England do not necessarily turn out to be the figures that the final calculations deliver. It naturally makes it harder for the devolved Governments to make their own spending decisions, working at pace in a crisis, if they are not clear on the exact scale of the resources that are going to be flowing to them.

I understand there are talks or negotiations with the Treasury about whether certain flexibilities can be provided to the Scottish Government within the normal rules of the fiscal framework. As Professor Bell mentioned, the limited borrowing powers are certainly one constraint. I understand also that the limitation on moving money from capital to

resource budgets is something they are looking at, whether there could be a bit more flexibility in this current period to overcome those limitations.

Finally, as a general point, it is a longstanding frustration at the devolved level that decisions about devolved finance and the operation of the Barnett formula are often made within a Treasury black box where the Treasury does not necessarily show its working, and it can be quite hard therefore for budget planning purposes in Holyrood or, indeed, Cardiff or Belfast.

Professor Bell: The Scottish Government were already in difficulty with the timing of the UK Budget this year. They had very little notice around financial planning for this year. Then, perhaps understandably, the UK Government have been reacting, putting schemes in place that are developed within the Treasury to respond to particular economic problems. Then the Scottish Government have to work out the financial consequences at short notice and react, maybe putting in place similar schemes or deciding that for Scotland they want to use a slightly different mechanism. It is not a satisfactory way to run things. A company would not run this way in terms of budgeting for the next financial year.

Q209 **Jon Cruddas:** So we could say, in terms of the effect of the virus, that the speed and timing of the spending announcements and commitments has compounded problems that already existed around future budget-making in Scotland? Is that fair?

Professor Bell: I would agree with that, absolutely.

Q210 **Chair:** We are going to be doing a particular session on some of the economic impacts of Covid in Scotland as part of this general inquiry, but as we have Professor Bell with us now—I do not know if we will have the opportunity to get his input at that session—does the Covid experience suggest to you that we might need to review the fiscal framework and look at extra fiscal responsibilities for Scotland, particularly on borrowing?

Professor Bell: There is an issue around borrowing, and the issue is one that is confronted by a lot of Governments. The question is that if you let the Scottish Government borrow substantially more, how do you let them borrow? Do you let them borrow on the markets, or do you channel it through the Debt Management Office, which is how UK borrowing is carried out? The UK Government's concern is, suppose Scotland fails to pay back a loan, they assume that the markets would take the view that the UK Government are a backstop, that they will always make good on Scotland's debts if the Scottish Government are unable to repay.

Different countries have different systems. In Canada, the provinces can borrow as they like. They do not have any particular restriction on borrowing. In fact, the UK is pretty tight in terms of how much the devolved Governments can borrow as a share, let's say, of their overall budget. But this is the issue, that there might be a sort of carry-over from Scotland's borrowing on to the UK's balance sheet. The question is whether there are risks associated with this. It is certainly a discussion that is worth having,

because the nature of this event is of such magnitude that the existing borrowing powers do not go anywhere near addressing it.

Chair: I knew we would get an interesting response from you, and you did not disappoint. We will maybe look further at these issues in this inquiry.

We now go across to our newest member, who has a guest with him.

Q211 **Douglas Ross:** I do apologise, I am childminding as well. I will come on to some of the economic discussions in a moment. Professor Bauld, you mentioned, as an example of a decision by the Scottish Government—announced by the First Minister—that did not seem to be backed up by the evidence, the very disappointing announcement for hospitality today that beer gardens and so on potentially cannot open. If you say the First Minister took that decision without the evidence, why do you think she took it?

Professor Bauld: I am not saying there is no evidence to back that up. I am just saying that what I think is happening is that the trade-offs are not always being articulated in the way they could be. Scientifically, or from a research perspective, the reason she will have made that decision, I imagine, is for the two reasons. The first one is that it may be difficult, even when people are eating or drinking outside, to keep them adequately apart and that in contrast to other outdoor settings, such as a garden centre or allowing construction to get back up and running, it would be difficult to maintain physical distancing.

The second thing for pubs, if you have people drinking, is it frankly may be even harder to maintain order. I am not saying there is no basis for that. It is just at odds with what other countries have done, where they have allowed outdoor hospitality to open in a phased way and they have a clear responsibility on employers to try to maintain that. From an economic perspective or from the health harms of unemployment, which is what I am interested in as well, I think it is very disappointing for that sector not to have that small step towards reopening.

Q212 **Douglas Ross:** I would agree with that disappointment. Certainly what I have seen here in Moray is that people were gearing up. They expected to get the green light today and had done an awful lot of advance work, and they have been extremely disappointed. I would agree with you on that.

Professor Bell, how would you describe the UK Government's economic response to coronavirus, particularly in Scotland?

Professor Bell: I suppose the principal part of the UK Government's response is the furlough scheme, and that is relatively generous by international standards.

Q213 **Douglas Ross:** I apologise, Professor Bell. I did not mean describe the individual elements of it. Would you say it has been successful? Has it been significant? How would you sum up the economic response to this pandemic by the UK Government?

Professor Bell: It has certainly been significant.

Q214 **Douglas Ross:** Significant in Scotland when you look at the furlough scheme, the self-employment support scheme and the significant grants that went to the Scottish Government, to local government, to businesses and so on?

Professor Bell: Sure.

Q215 **Douglas Ross:** There is a figure that has been suggested of roughly £10 billion. Would you say that is fairly accurate, if you look at the actual Barnett consequentials that have gone to the Scottish Government and at the self-employment support? Here in Moray, self-employment support alone was almost £8 million in one constituency and the number of people furloughed was 11,700. Combined across Scotland, would you say the £10 billion figure is accurate?

Professor Bell: I have not gone into that in any detail. We are certainly talking several billion. I do not know how many.

Akash Paun: I have not seen the £10 billion figure specifically but, on the Barnett consequentials, I know the Scottish Parliament estimated that the Scottish Government would have received nearly £4 billion—I think it was £3.7 billion—through the Barnett system. On top of that, as you say, in terms of the UK-wide scheme I know over 600,000 people in Scotland have been furloughed, and around 150,000 are being supported through the self-employment scheme. One would have to do some calculations, but I suspect that, yes, you would probably end up at around £10 billion from the overall cost of those programmes.

Q216 **Douglas Ross:** Just to open it up to everyone, finally, this Committee is rightly looking at intergovernmental relations between the UK Government and the Scottish Government. In Scotland we obviously have a further level of devolution that has been heavily involved in this pandemic, which is local government. How do you think the mechanisms between central Scottish Government and local government have worked through this, in terms of some of the criticisms that the money has not flowed as quickly or as freely as it should?

Professor McEwen: It is a good question, and I do not have the answers to it yet, but again there is not always the transparency to enable us to scrutinise that properly. Like you, I am combining work with home schooling, so perhaps there is data that I have not seen yet, but I think it is an interesting dynamic.

Sometimes the dynamics in the relationship between the Scottish Government and the UK Government can be applied inwards, but in reverse, if you see what I mean, so that the power dynamics are reversed within Scotland between local government and Scottish Government. I know there has been a lot of joint working on schooling, for example, but it is definitely something that we should consider in the months when these reviews take place because there has been a long-running issue around

whether or not we have the appropriate balance of power within Scotland and not just between Scotland and the rest of the UK.

Professor Bauld: To add to that, on the next steps in addressing the pandemic, the response of local government is important in relation to a joint response between the NHS, social care, education, et cetera. Whether that has been ideal so far I do not know, but as we move forward, if we have spikes in local areas or if we need, for example, to look at schools or other changes in local areas, really clear partnership between local government, the NHS boards and Scottish Government to make that appropriate, feasible and well planned is absolutely crucial. You made the point earlier that people need dates so they can plan and know what they need to do.

Chair: Thank you, Douglas, and thank you for introducing us to your child. We almost had a full glimpse of—is it her?

Douglas Ross: You do not want to see him. He has not had his hair cut.

Chair: Thank you. We are not going to detain you much further, but a couple of supplementary questions have come in, if that is all right.

Q217 **Andrew Bowie:** I would advise that you do not introduce your child to my barber if you need his hair cut.

I was going to ask about support for business, how we are going forward as the divergence between the four nations continues, as the easing of lockdown goes faster—or indeed slower—in different parts of the country, and how that might affect the overall UK economic package and the packages of support for businesses across the country. In my constituency alone, I think 10,000-odd jobs have been saved by the UK Government's furlough scheme. Across Scotland, I think the number is 620,000-odd. Do you think there is an argument to say that the UK Treasury should take a nation-by-nation approach, or should it perhaps be sectoral in terms of how it turns the taps off or gradually slows the money coming from the Treasury?

Professor Bell: I am not sure whether a nation-by-nation approach is ideal. What that would imply, I guess, is that we drop the Barnett formula now and replace it with something different, and this is not the time, it seems to me, to be making such big changes. I think there is an argument for a sectoral approach. We just had a discussion about hospitality. It seems to me that there is a strong case for that, partly for the reasons of the industry itself, but also because it is an industry where the young often get their first step into the labour market to understand the world of work. There is a case there, and there are other sectors that are suffering. Clearly oil and gas is one of them, so particular schemes might be aimed at oil and gas, but the consequence might be that support is stronger in Scotland as well.

I have made the case that we should have something like Roosevelt's Civilian Conservation Corps, which did lots of work around the US. It was Roosevelt's most successful scheme during the New Deal, and it helped a

lot of young people to find some form of employment during the Depression. They also planted 3 billion trees, which is something we need now.

Q218 **Wendy Chamberlain:** I want to touch on one of the sectors that we have not referred to yet, but it will be of interest to the majority of the panel, and that is universities. This is probably to Professor Bauld in the first instance. It has been announced that Scottish universities are set for a phased campus return in the summer. I represent a constituency with a university. What are your views on that, given the current status of the pandemic?

Professor Bauld: I think it is entirely appropriate. All countries that are coming out of this are taking a similar approach in terms of recognising that some of these measures are going to have to be with us for many months to come. Obviously, in terms of northern European countries or northern hemisphere countries, we are going to be at big risk, as you know, as we go into the autumn and winter. There will be lots of people with general flu symptoms that might be Covid-19 or not, big challenges there. It is entirely appropriate for universities to have a phased return. It poses huge challenges, as you know, for the sector. For example, in my own college, the College of Medicine, it is not going to be appropriate not to have any face-to-face contact in teaching for clinical training, for example. For other courses, online is fine, but it is not going to be the same experience for students.

I hope that, a bit like general practice, we can seize this as an opportunity in the longer term to harness digital technology and digital learning better than we have done, but in the short term I think it is appropriate. We cannot have all our students returning to campus, particularly in the first semester. It will not be safe, it will not be ideal, so we have to focus on making that online provision as successful as possible.

Q219 **Wendy Chamberlain:** There are also the considerations of the communities that those students are coming to, as well as the student population itself.

Professor Bauld: Absolutely. I completely agree, yes.

Q220 **Wendy Chamberlain:** My second question is more on how the UK and Scottish Governments can work together to support universities. I have two thoughts on that. One is, of course, the concern around the significant deficits that universities are potentially facing and how that can impact on research programmes. Obviously, we have an effective cap on Scottish student numbers in Scottish universities, but we now know we also have a cap on English students coming to universities. What are the panellists' views on those challenges facing universities?

Professor McEwen: Very briefly. I will not comment so much on the detail, since university management is something I have managed to avoid so far, but it again highlights the need for continued co-operation and communication. My understanding is that the announcement around the

cap on student numbers—which may or may not be justified, and it is an entirely legitimate choice for a Government Department to make—is that other Governments were not given any heads up on that, and nor were the universities. That is clearly going to be an enormous challenge for them on top of all the other ones, so I would reiterate the point that there is an ongoing need to communicate and to establish lines and forums of communication that are more effective than the ones we have.

Professor Bell: One thing, and I think the UK needs to do something now, is that although we may move quite a lot of teaching online, universities are a big export earner for the UK. What you need for that is not online teaching; you need people to come to the UK and spend their time here. Although we can improve our online presence a lot, there is a strong case that the UK should be doing its best to sell the experience of coming to a British university and spending a year, or however many years, here.

Wendy Chamberlain: It is a more holistic approach in terms of how we think about that university experience. Thank you very much.

Chair: Thank you. That's all, folks. Hopefully Professor Bauld will be a regular feature in the proceedings of the Scottish Affairs Committee in future. I knew this would be a fascinating session. There are a couple of questions that we have for you, things with which you could help us further in this inquiry, and we will get back in touch with you on that basis. But for today and for just now, thank you all very much.