



Law Society
of Scotland

Written evidence

Call for Evidence on impact of COVID-19 on the rural economy and connectivity in Scotland

June 2020



Introduction

The Law Society of Scotland is the professional body for over 12,000 Scottish solicitors. With our overarching objective of leading legal excellence, we strive to excel and to be a world-class professional body, understanding and serving the needs of our members and the public. We set and uphold standards to ensure the provision of excellent legal services and ensure the public can have confidence in Scotland's solicitor profession.

We have a statutory duty to work in the public interest, a duty which we are strongly committed to achieving through our work to promote a strong, varied and effective solicitor profession working in the interests of the public and protecting and promoting the rule of law. We seek to influence the creation of a fairer and more just society through our active engagement with the Scottish and United Kingdom Governments, Parliaments, wider stakeholders and our membership.

Our Rural Affairs and Marine Law Sub-committees welcome the opportunity to respond to the Rural Economy and Connectivity Committee's Call for Evidence on impact of COVID-19 on the rural economy and connectivity in Scotland¹. We have the following comments to put forward for consideration.

We have previously responded to the Equalities and Human Rights Committee's inquiry on the Impact of COVID-19 pandemic on Equalities and Human Rights².

Evidence

Digital connectivity

We note the increased use of digital services across a range of matters including access to justice, access to vital public services including education, and access to private services, including online grocery shopping and banking³. The increased transition to digital services has been a necessary response by the justice system and other aspects of both public and private services to the current crisis. We have previously commented on the increasing use of digital platforms for 'compliance' and other businesses activities, including Farm Support Payment claims⁴.

We note that digital connectivity can be particularly challenging for rural communities. For example, Ofcom's Connected Nations 2019 Scotland report⁵ highlighted that it is estimated "that around 12,300 premises in Scotland cannot access either a decent fixed broadband service or get good 4G coverage indoors (from any operator)." It appears that improvements in this regard are being made, for example,

¹ <https://www.parliament.scot/parliamentarybusiness/CurrentCommittees/115229.aspx>

² https://yourviews.parliament.scot/ehrc/impact-covid-19-pandemic-equalities-human-rights/consultation/view_respondent?uuld=586496863

³ https://yourviews.parliament.scot/ehrc/impact-covid-19-pandemic-equalities-human-rights/consultation/view_respondent?uuld=586496863

⁴ <https://www.lawscot.org.uk/media/359579/rur-comp-digital-connectivity-in-scotland-inquiry-final.pdf>

⁵ <https://www.ofcom.org.uk/data/assets/pdf/0028/186409/connected-nations-2019-scotland-report.pdf>

Ofcom's report notes that "indoor 4G coverage from all four operators is available to 79% of premises in Scotland, up from 75% in 2018 and 57% in 2017", however, it is clear that there remain areas where basic levels of connectivity are not available.

The increased transition to digital services is likely to have greater impacts on certain groups, including those living and/or working in rural areas, and we consider it important that the effects of these changes are monitored, to ensure that outcomes for individuals are not reduced as a result.

Transport and Fisheries

We note the potential challenges caused by Covid-19 and risks associated with transport services in Scotland. This includes the risks of transmission connected to public transport provision across the mainland and by ferry or air links serving island communities. While demand for public transport has been low during the lockdown period, we expect that this will begin to increase as we move through the *route map for moving out of lockdown*⁶. We also note that consideration will be required as to how school bus services will be able to effectively operate while complying with social distancing measures.

Social distancing measures are likely to impact significantly on capacity of transport services. For example, we note the following evidence of CalMac Ferries Limited to this inquiry:

"Implementing physical distancing of 2 metres throughout our operations will reduce the capacity of our fleet on average to 17% of normal passenger capacity and 91% of car deck capacity. Reducing physical distancing to 1 metre would double the passenger capacity.

*Physical distancing will increase loading times and we would not be able to operate our normal timetables on the high service routes which require quick turnarounds."*⁷

In connection with testing, the nature of transport services in rural and remote areas means that travelling to city hubs for regular testing is likely to be impractical, time consuming and financially burdensome. The 'test, trace, isolate' arrangements may impact upon service delivery for transport operators. For example, if one member of a ship or airline crew or a member of port or airport staff were to contract Covid-19, large numbers of other staff may require to isolate, thus impacting, likely significantly, upon the ability to deliver services.

Furthermore, the current circumstances raise issues for individuals who require to travel internationally for work. This may have particular impacts on rural and remote communities, for example, seafarers who

⁶ <https://www.gov.scot/news/route-map-for-moving-out-of-lockdown/>

⁷ https://www.parliament.scot/S5_Rural/RECC_CALMAC_FERRIES_LIMITED.pdf

typically travel between countries and are often required to embark and/or disembark in foreign ports. We note that the International Maritime Organization has issued guidance in relation to such circumstances⁸.

We note the provisions of The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 which were introduced to the Scottish Parliament on 8th June 2020. Schedule 2, paragraph 8 provisions exemptions for seamen and masters from the 14-day quarantine arrangements. We note that the Regulations require persons arriving in Scotland from outside the common travel area, or from within the common travel area, if they had been outside the common travel area at any time in the period beginning with the 14th day before their arrival into Scotland, to provide certain information. There may be practical challenges with the arrangements for providing the necessary information, for example, for those whose first language is not English, and those who may be completing the necessary form from a shipping vessel, perhaps on a mobile phone or other device.

Agriculture, land management and forestry

We note the challenges faced by these sectors as a result of Covid-19. These sectors, along with accommodation and food, are of significant importance to the economy in rural areas of Scotland⁹.

We understand that businesses are facing difficulties due to limited availability of temporary workers, some of whom carry out specialist and/or seasonal work, and many of whom usually travel from abroad. We are aware of examples of these difficulties in the context of agricultural work, particularly fruit and vegetable production, and in the forestry sector. We note the services offered by stakeholders, such as NFUS¹⁰, to assist in these sectors. Suitable accommodation and transport for workers also presents a difficulty while adhering to social distancing measures, with what we understand to be the common practice of workers residing on site, for example in caravans or similar accommodation, or travelling daily to farm or forestry sites, for example by way of bus or mini-bus.

We expect that lockdown measures and social distancing will continue to present challenges for these sectors, as well as for the tourism sector, as we move through the *route map for moving out of lockdown*¹¹. It may be easier to achieve suitable social distancing in some sectors than in others. We recognise the need for health protection measures to be carefully balanced with measures to protect and preserve the economy.

⁸ <http://www.imo.org/en/MediaCentre/HotTopics/Pages/Coronavirus.aspx>

⁹ Understanding the Scottish rural economy: research paper, Scottish Government, 23 February 2018, accessed on 11 June 2020 <https://www.gov.scot/publications/understanding-scottish-rural-economy/>

¹⁰ <https://www.nfus.org.uk/coronavirus/employment-opportunities-on-farms.aspx>

¹¹ <https://www.gov.scot/news/route-map-for-moving-out-of-lockdown/>



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