



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 4, No. 81, Session 6

Meeting of the Parliament

Thursday 20 February 2025

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 11.40 am.

- 1. General Questions:** Questions were answered by the Deputy First Minister, Cabinet Secretaries and Ministers.
- 2. First Minister's Questions:** Questions were answered by the First Minister (John Swinney).
- 3. The Ongoing Impact of PFI/PPP on Scotland's Public Finances:** The Parliament debated S6M-16287 in the name of Kenneth Gibson—That the Parliament believes that the total unitary charge payments associated with Public Private Partnership/Private Finance Initiative (PPP/PFI) contracts that were paid across the public sector in Scotland from 2006-07 to 2022-23 amounted to £14.173 billion; understands that PFI/PPPs are long-term contractual arrangements between a public sector entity and a private sector provider, which were introduced by the Conservative UK administration in 1992 and then expanded by Labour following its 1997 election victory; believes that the total PFI and PPP unitary charge payments to be paid across the public sector in Scotland in 2025-26 will be £1.25 billion, the highest in a single year, with the remaining cost associated with PFI/PPP being £14.699 billion from 2023-24; understands that, by 2038, North Ayrshire Council will have paid £440.1 million for four schools that were built for £83 million; notes that research carried out by the National Institute of Economic and Social Research shows that successive UK administrations have made payments to private companies associated with PFI contracts at, on average, more than three times the cost of construction, with said companies distributing £300 million in dividends to investors from £1 billion in profits between 2005 and 2022; recognises that the

scheme was abandoned by the UK Government in 2018, 11 years after being replaced with an alternative model known as non-profit distributing (NPD) by the Scottish Government to limit excessive private sector profits; notes with concern media reports that the Chancellor of the Exchequer, Rachel Reeves MP, is considering relaunching the PPP funding model frequently used by Tony Blair's Labour administration; considers PFI/PPP to have had a disastrous impact on Scotland's public finances, and notes the calls for the UK Government to end what it sees as its obsession with PFI/PPP.

**4. Portfolio Questions:** Questions on Social Justice were answered by a Cabinet Secretary and Ministers.

**5. Scottish Rate Resolution:** The Cabinet Secretary for Finance and Local Government (Shona Robison) moved S6M-16531—That the Parliament agrees that, for the purposes of section 11A of the Income Tax Act 2007 (which provides for Income Tax to be charged at Scottish rates on certain non-savings and non-dividend income of a Scottish taxpayer to be charged above the personal allowance), the Scottish rates and limits for the tax year 2025-26 are as follows—

- (a) a starter rate of 19%, charged on income up to a limit of £2,827,
- (b) the Scottish basic rate is 20%, charged on income above £2,827 and up to a limit of £14,921,
- (c) an intermediate rate of 21%, charged on income above £14,921 and up to a limit of £31,092,
- (d) a higher rate of 42%, charged on income above £31,092 and up to a limit of £62,430,
- (e) an advanced rate of 45%, charged on income above £62,430 and up to a limit of £125,140, and
- (f) a top rate of 48%, charged on income above £125,140.

The motion was agreed to ((DT) by division: For 86 (including 3 proxy votes), Against 27, Abstentions 0).

**6. Independent Review of Sentencing and Penal Policy:** The Cabinet Secretary for Justice and Home Affairs (Angela Constance) moved S6M-16532—That the Parliament notes that Scotland has one of the highest proportions of prisoners in Western Europe; recognises the action that has been taken to establish a sustainable prison population and shift the balance between the use of custody and justice in the community, while protecting the public from harm; acknowledges the need for an independent review of sentencing and penal policy to consider how imprisonment and community interventions are used; further acknowledges the key role that the third sector can play in the effective delivery of justice services that reduce reoffending, and support rehabilitation and reintegration into society; agrees that there is a need for strong partnership working and co-ordination between third sector organisations, justice social work and the Scottish Prison Service to provide

support and improve outcomes for those leaving prison, and believes that the Parliament has an important role to play in discussing the use of imprisonment and the best means for addressing offending behaviour, by both effective prevention and appropriate rehabilitation, and for reducing crime and keeping communities safe.

Liam Kerr moved amendment S6M-16532.1—

As an amendment to motion S6M-652 in the name of Angela Constance, Independent Review of Sentencing and Penal Policy), leave out from "Scotland" to end and insert "as a result of, non-exhaustively, significant and long-standing pre-COVID-19 pandemic court backlogs, a high remand population and a failure to timeously build additional prison capacity, Scotland's prison system is now struggling to house the number of prisoners incarcerated and sentenced as a result of independent decisions made by judges; further notes with disappointment that these capacity issues still persist, despite numerous Scottish Government policies, which were aimed at reducing the prison population, such as changes to automatic early release, which allows many offenders to leave prison after serving 40% of their sentence, a general presumption against short sentences, sentencing guidelines that treat under 25-year-olds differently and an increase in diversion from prosecution; raises concerns that, despite repeated warnings about the need for new prisons, HMP Highland and HMP Glasgow are both delayed and over budget, with the former rising from £52 million to £209 million, and the latter increasing from £100 million to £998 million; understands that reoffending rates were up 2.6% for the 2020-21 cohort; recognises that one-in-eight of those released as a result of emergency early release reoffended, and believes that the role of the independence of the judiciary should not be undermined by government, and that any review of penal and sentencing policy should always prioritise victims over offenders."

After debate, the amendment was disagreed to ((DT) by division: For 28, Against 69 (including 3 proxy votes), Abstentions 14).

Pauline McNeill moved amendment S6M-16532.2—

As an amendment to motion S6M-16532 in the name of Angela Constance (Independent Review of Sentencing and Penal Policy), leave out from "recognises" to end and insert "acknowledges that prisons remain severely overcrowded, with prisons operating above capacity even after the Scottish National Party (SNP) administration's emergency early release of prisoners, impacting on the ability to rehabilitate offenders; is concerned by the high numbers of women in prisons; condemns the SNP administration's failure to tackle high reoffending rates, which result in offenders returning to custody due to the lack of robust alternatives; agrees that the third sector can play a significant role in the effective delivery of justice services that reduce reoffending, and support reintegration into society; calls on the Scottish Government to urgently increase the availability of robust community payback orders, and invest in safe and secure GPS electronic monitoring to drive down the remand population and give more public confidence to non-custodial sentencing; further calls on the Scottish Government to expand access to

throughcare services, which are essential in assisting offenders to reintegrate into society and to stop offending; believes that a review of sentencing and penal policy will not address the urgent crisis in Scotland's justice system, and resolves that the SNP administration should take immediate action based on parameters set by the Parliament to address these concerns, rather than focus on a review that will not take the prompt action needed to fix the justice system and keep Scotland's communities safe."

After debate, the amendment was disagreed to ((DT) by division: For 16, Against 97 (including 3 proxy votes), Abstentions 0).

The motion was agreed to ((DT) by division: For 70 (including 3 proxy votes), Against 42, Abstentions 1).

**7. Great British Energy Bill - UK Legislation:** The Acting Minister for Climate Action (Alasdair Allan) moved S6M-16526—That the Parliament agrees that all relevant provisions of the Great British Energy Bill, introduced in the House of Commons on 25 July 2024 and subsequently amended in relation to sustainable development (clause 7A) on 11 February 2025, so far as these matters fall within the legislative competence of the Scottish Parliament and alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

The motion was agreed to ((DT) by division: For 84 (including 3 proxy votes), Against 28, Abstentions 0).

**8. Decision Time:** The Parliament took decisions on items 6 and 7 as noted above.

The meeting closed at 5.26 pm.

**David McGill**  
Clerk of the Parliament  
20 February 2025

**Appendix**  
**(Note: this Appendix does not form part of the Minutes)**

**Subordinate Legislation**

**Negative Instruments**

The following instruments were laid before the Parliament on 20 February 2025 and are subject to the negative procedure—

Non-Domestic Rate (Scotland) Order 2025 (SSI 2025/37)

laid under section 7B(5) of the Local Government etc. (Scotland) Act 1994

Non-Domestic Rates (Levying and Miscellaneous Amendment) (Scotland) Regulations 2025 (SSI 2025/38)

laid under section 153(6) of the Local Government etc. (Scotland) Act 1994

Non-Domestic Rates (Transitional Relief) (Scotland) Regulations 2025 (SSI 2025/39)

laid under section 153(6) of the Local Government etc. (Scotland) Act 1994

Non-Domestic Rates (Hospitality Relief) (Scotland) Regulations 2025 (SSI 2025/40)

laid under section 153(6) of the Local Government etc. (Scotland) Act 1994

Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Scotland) Amendment Regulations 2025 (SSI 2025/42)

laid under Section 58(5) of the Regulatory Reform (Scotland) Act 2014

National Health Service (Common Staffing Method) (Scotland) Amendment Regulations 2025 (SSI 2025/43)

laid under section 105(2) of the National Health Service (Scotland) Act 1978

Education (Scotland) Act 1980 (Modification) Regulations 2025 (SSI 2025/44)

laid under section 133(2) of the Education (Scotland) Act 1980

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