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Scottish Parliament

Thursday 9 June 2022

[The Presiding Officer opened the meeting at 11:40]

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. The first item of business is general question time. In order to get in as many members as possible, I would be grateful for short and succinct questions and responses.

Teaching Profession (Diversity)

1. Kaukab Stewart (Glasgow Kelvin) (SNP): To ask the Scottish Government what its response is to the diversity in the teaching profession Scotland annual data report, published in May, which states that there is a continued chronic and disproportionate lack of minority ethnic teachers in Scotland's schools. (S6O-01206)

The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville): The Scottish Government is clear that the continued underrepresentation of minority ethnic teachers at all levels in Scotland is unacceptable and requires urgent attention.

Work is already under way. The diversity in the teaching profession and education workforce subgroup, which is part of the wider race equality and anti-racism in education programme, is taking forward a number of actions, including working with the Scottish Council of Deans of Education to develop a robust framework for initial teacher education providers to identify and address the barriers that impede minority ethnic student teachers. That will result in them being better supported throughout their journey into permanent posts.

We are also working with the newly appointed General Teaching Council for Scotland senior education officer—a post that is supported by Scottish Government funding—to establish effective leadership at all levels within local authorities, regional improvement collaboratives and schools in order to facilitate improved racial diversity within the teaching profession.

Kaukab Stewart: I welcome the cabinet secretary's response.

The statistics are stark. In 2017, only 1.2 per cent of primary teachers and 2.1 per cent of secondary teachers were from black, Asian and minority ethnic communities. By 2021, those figures had risen to only 1.4 per cent and 2.7 per cent respectively. The figures for promoted

posts—primary principal teachers, deputies and head teachers—are even more concerning. In 2017, only 0.4 per cent of such posts in primary schools and 0.8 per cent of such posts in secondary schools were from BAME communities, and in 2021, those numbers rose by only 0.2 per cent to 0.6 per cent and by 0.1 per cent to 0.9 per cent respectively.

Will the cabinet secretary join me in calling on local authorities as employers to actively explore positive action measures, as allowed under the Equality Act 2010, to address underrepresentation, particularly at senior levels? Measures could include initiatives such as the current pilot project by Glasgow City Council to support five acting PT roles for BAME teachers.

Shirley-Anne Somerville: The positive action that Glasgow City Council has taken in this area is absolutely to be commended. The diversity in the teaching profession and education workforce subgroup is considering the ways in which to capture and measure such actions, so that it can support other local authorities to be similarly ambitious.

I concur absolutely with Kaukab Stewart's sentiments that those figures are unacceptable. The Scottish Government is determined and it will continue to work with all local authorities to ensure that we can, and will, do better.

Superfast Broadband (Orkney)

2. Liam McArthur (Orkney Islands) (LD): To ask the Scottish Government how island communities in Orkney can be involved in decisions about how superfast broadband is rolled out in their areas. (S6O-01207)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): I have met the member twice, along with Orkney Islands Council and Highlands and Islands Enterprise, to discuss the issue.

The R100—reaching 100 per cent—contract build is being delivered in phases determined by the successful bidder. A key part of the deployment of 16 new subsea fibre cables that will enable the delivery of full fibre broadband to our islands has started. Installation to connect seven islands began last week and will be completed by September.

Liam McArthur: I thank the cabinet secretary for her response and for her engagement with me and the Orkney Islands Council. She will be aware from those discussions that there is growing concern in Orkney that the Government's R100 programme will fall short of connecting 100 per cent of households. Those subsea cables are being laid, but once landfall is made, there seems little prospect of many, if not most, of the households in each of those islands actually being

connected under the contract. The Government's own maps show the extent to which households are set to miss out.

Will the cabinet secretary agree to meet me, Orkney Islands Council and other local representatives again to discuss how affordable access to Openreach's fibre backhaul might be granted to companies that are willing and able to plug those gaps? Will she look to take steps to ensure that island communities can be more actively involved in the roll-out of the programme?

Kate Forbes: I am very happy to meet the member again. It is off the back of those previous meetings that I have been pushing the bidders—in this case, Openreach—to extend R100 contract coverage, by using available contractual headroom as far as possible. It remains my commitment to ensure that we connect more properties than we were originally expecting to. Obviously, properties that fall outwith the reach of the R100 contracts or commercial builds are still eligible for a voucher that is worth up to £5,000 through the broadband voucher scheme.

The United Kingdom Government's project gigabit is also an opportunity to complete the job on islands. I have had extensive conversations with the UK Government because, at the moment, the thing that is stopping us from using project gigabit to finish the job on island communities is the arbitrary cost cap, which does not work for rural areas. However, I am sure that Liam McArthur and I can discuss those issues further in a meeting.

Emma Roddick (Highlands and Islands) (SNP): Despite the reserved nature of telecommunications legislation, the Scottish Government has had to intervene, using its own resources, to extend access to digital infrastructure across the country. In particular, I welcome the installation of 16 new subsea fibre cables that the cabinet secretary mentioned, which will improve the connectivity of island communities in my region. Can the cabinet secretary expand a little more on what specific improvements are expected to be realised as a result of that welcome announcement?

Kate Forbes: The member is quite right to remind the chamber that telecoms is wholly reserved to the UK Parliament. Despite that, our investment of £384 million, in the R100 north contract alone, will be truly transformational. That is an example of where, because of its importance in Scotland, we are prioritising funding in an area that is not necessarily within our powers. That funding will deliver access to gigabit-capable fibre to premises and connections to more than 59,000 properties across the north of Scotland, including many of the islands. The 16 subsea cables that the member referenced will deliver future-proofed

fibre backhaul. Alongside existing subsea cables, which were delivered through the digital Scotland superfast broadband programme, that will provide connections for more than 10,000 properties in island communities.

Benefits (Implications of Resource Spending Review)

3. **Fiona Hyslop (Linlithgow) (SNP):** To ask the Scottish Government what the implications of its resource spending review are for the roll-out of Social Security Scotland's planned programme of benefits. (S6O-01208)

The Minister for Social Security and Local Government (Ben Macpherson): The resource spending review sets out our investment of more than £4.2 billion in benefit expenditure in 2022-23, which is more than £460 million above what has been received from the United Kingdom Government. That £4.2 billion is an investment in people and will provide support to more than 1 million people, including low-income families and households, disabled people and carers.

The funding highlights the strength of our commitment to social security and takes into account the benefits that we are due to introduce, including the extension of the Scottish child payment, the national roll-out of adult disability payment, our new low-income winter heating assistance payment and, of course, the transfer of 700,000 cases.

Fiona Hyslop: The cost of living crisis will hit families hardest, and tackling child poverty must be the main focus of Government. Bearing in mind the limited scope of Scotland's social security powers under devolution, what impact are Scottish benefits having to mitigate of the worst excesses of the cost of living crisis?

Ben Macpherson: This year, we are investing almost £770 million through a package of cost of living support measures and social security support that is not available elsewhere in the UK. Our five family benefits include the Scottish child payment, which we have doubled to £20 and will increase to £25 by the end of the year, when we will extend it to under-16s, which will mean that it covers around 400,000 children.

This month, carers will also receive one of our two carers allowance supplement payments, which will be tangible financial support of more than £42 million for around 90,000 carers this year. In addition, we have our low income winter heating assistance payment, as I mentioned, and households with severely disabled children and young people will receive our child winter heating assistance.

Green Economy (Alignment of Education System)

4. Brian Whittle (South Scotland) (Con): To ask the Scottish Government what action it is taking to ensure that Scotland's education system is properly aligned with the future workforce requirements of the emerging green economy. (S6O-01209)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): The Scottish Government is committed to a just transition to net zero. Building on action to date, including the publication of the climate emergency skills action plan, the national strategy for economic transformation sets out our commitment and approach to adapting the education and skills system to make it more agile and responsive to our economic needs and ambitions, including our net zero targets.

Brian Whittle: The coming years must see radical change in many existing sectors of the economy, from home heating systems—including the Government's commitment to retrofit 200,000 homes per year with heat pumps—to our growing demand for electric vehicle and hydrogen vehicle servicing. Delivering the workforce with the skills to provide those services and to manufacture the products that are required will take time to develop. The Scottish Government has committed £1.3 million to the national transition training fund to support energy efficiency and retrofitting skills. Does the minister accept that that will cover but a fraction of the amount that is needed to support colleges and small and medium-sized enterprises in Scotland to prepare pupils for a net zero future?

Lorna Slater: The member is right to highlight the extent of the challenge, which we are focusing on. The climate emergency skills action plan sets out the actions that we need to take to ensure that our workforce across all sectors is able to support the transition to net zero.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): Given that Aberdeen is on the cusp of a just transition, this will be of great interest to families in my constituency. Will the Scottish Government clarify how it is working with schools and apprenticeship bodies to ensure that Scotland's future workforce, such as apprentices who are learning a trade in plumbing and heating, learn the vital skills that are needed to work effectively with the emerging technologies in renewables?

Lorna Slater: It is vital that we provide the skills that the economy needs both now and in the future. That is particularly true in Aberdeen, where there is a need to diversify the regional economy away from carbon-intensive industries and to

capitalise on the opportunities that the transition to net zero will bring.

Apprenticeships are a key way for employers to support the transition and to continue to invest in their workforce. Agile and responsive work-based learning, including apprenticeships, will support those ambitions. The climate emergency skills action plan notes the importance of developing new work-based learning pathways to capitalise on net zero opportunities and to maximise the uptake of apprenticeships and green jobs.

The Presiding Officer: Before we move on to the next question, I ask members to avoid indulging in conversations while questions are being asked and answered.

Consultant Oncologists (NHS Tayside)

5. Sandesh Gulhane (Glasgow) (Con): To ask the Scottish Government, with regard to the recruitment of consultant oncologists in NHS Tayside, how many candidates have proceeded to interview stage to date and from which countries. (S6O-01210)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): In the past two years to 31 May 2022, four applicants have proceeded to interview. All four were working in the United Kingdom, but their nationalities were British, Australian, Sri Lankan and Singaporean. NHS Tayside remains in on-going dialogue with two potential overseas appointees who are currently based in Canada and are of Indian origin. Additionally, one trainee at the centre has recently taken up a full-time post there, and it is pleasing that they have seen their long-term future at Tayside cancer centre. We know that NHS Tayside's breast cancer service has been particularly challenged, and securing the long-term future for the service has been a priority for me and for the board.

Sandesh Gulhane: In 2019, the Royal College of Physicians conducted a service review of NHS Tayside oncology. We understand that it found that staff in NHS Tayside cancer services were subject to a culture of management bullying and intimidation. NHS Tayside ensured that the report did not see the light of day, and it remains a secret. In the interests of transparency, and given the serious concerns that members have regarding NHS Tayside cancer services, will the cabinet secretary ensure that that report is released to Parliament, because the staff and patients of NHS Tayside deserve to know?

Humza Yousaf: I will certainly look into the issue that Dr Gulhane has asked me to look into. As he knows, there have been further reviews of and reports on NHS Tayside's breast cancer service. I met the clinicians not too long ago, and

they are still concerned about the breast cancer service, but we have a committed team of clinicians who provide the highest possible level of cancer care. They are—as I am and as the board is—looking to the future to ensure that we have a stable breast cancer service for the people of Tayside.

Michael Marra (North East Scotland) (Lab):

The cabinet secretary says that there is a committed team there, but the reality is that the last breast cancer oncologist left Dundee two weeks ago. There is no breast cancer oncology service in Dundee, and patients are having to travel hundreds of miles to access those services.

I back the calls of the other member regarding the publication of that report. The flawed Health Improvement Scotland report, which was commissioned by the Government, is actually at the core of the recruitment issue.

I raised this issue with the cabinet secretary on 27 January, and he said that he was

“deeply involved in the issue”.—[*Official Report*, 27 January 2022; c 5.]

What progress has been made to ensure that this service can be retained in Dundee?

Humza Yousaf: A number of actions have been taken. For example, there have been more recruitment drives. In fact, there have been six adverts out this year and another three revised adverts are to come out shortly.

On the breast cancer service, I agree with Michael Marra that it is not a satisfactory situation. He and I do not dispute that. However, to put it into context, about 150 patients are referred to the breast cancer service in Tayside each week. Of those 150, around seven will have to travel for treatment. That is clearly suboptimal for the seven people involved. However, it is important that the vast majority of people who are referred and then go on to get treatment will get treatment from NHS Tayside.

Debt (Essential Bills)

6. John Mason (Glasgow Shettleston) (SNP):

To ask the Scottish Government what its response is to a report by StepChange Debt Charity Scotland, which highlighted that clients’ average arrears on essential bills had increased by £659 to £2,961. (S6O-01211)

The Minister for Social Security and Local Government (Ben Macpherson): The Scottish Government is acutely aware that households are facing the cost of living crisis and rising energy bills, with people on the lowest incomes being hit the hardest. It is therefore very concerning that those who are struggling are carrying a growing burden of debt. That is why, with our limited

powers and resources, we are investing almost £770 million this year through a package of cost of living measures and social security support not available anywhere else in the United Kingdom to support people in need. We are also investing approximately £12 million this year to support free income-maximisation, welfare and debt advice. That includes funding of over £1 million to StepChange Debt Charity Scotland.

John Mason: The minister might know that a StepChange report says that a growing percentage of its clients are tenants in the rented sector—62 per cent in 2021. Can the Scottish Government suggest what help is available specifically for tenants who find themselves in severe financial difficulty?

Ben Macpherson: We are providing a total of £83 million for discretionary housing payments. That includes over £68 million to mitigate the bedroom tax and an additional £14 million to mitigate the damaging impact of other UK Government welfare cuts, including the benefit cap—as far as we can within our powers—and changes to local housing allowance rates.

In addition, the £10 million tenant grant fund helps private and social tenants who are struggling the most financially as a direct result of the pandemic and prevents homelessness. The action that we are taking through the Coronavirus (Recovery and Reform) (Scotland) Bill to permanently introduce pre-action protocols for those who are in rent arrears will formalise the steps that a private landlord should take, as early as possible, to support a tenant who has fallen into rent arrears.

National Health Service Waiting Lists

7. Paul O’Kane (West Scotland) (Lab): To ask the Scottish Government what new steps have been taken to tackle national health service waiting lists, which now reportedly stand at over 680,000 patients. (S6O-01212)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): The latest waiting times statistics, which were published last week and cover the quarter to 31 March 2022, reflect on-going significant challenges as a result of the pandemic and the inevitable backlog that has built up as a result of pausing non-urgent care. We are working with NHS boards to get those who are waiting for treatment the care that they need as quickly as possible. A key part of our recovery is the creation of the national treatment centres. Four NTCs are due to open over the next year, which will provide additional ring-fenced capacity for planned care. As well as investment in new infrastructure, the new NHS Scotland centre for sustainable delivery is leading work on new and innovative practice to reduce waiting times.

Paul O’Kane: Since I lodged this question, as the cabinet secretary refers to, reports have shown that, yet again, there has been an increase to waiting lists, and there are now over 700,000 people waiting. Long before the pandemic, data was showing that NHS waiting lists were rising year on year; 120,000 people were waiting in March 2020. The cumulative impact of waiting lists clearly shows that the Government’s recovery plan is not robust enough to tackle this significant challenge.

Will the cabinet secretary commit today to real and meaningful action to tackle delayed discharge; to implement a real NHS cancer plan, including funding for more temporary clinics and dedicated treatment centres; and to proper pay and conditions for staff in health and social care?

Humza Yousaf: I say to Paul O’Kane that we are taking forward many of the actions that he requests. We are in active negotiations with the trade unions on pay. Figures that were released this week show record staffing levels in the NHS—almost 30,000 whole-time equivalents have been recruited to our NHS since we came to power.

Having anybody on a waiting list is, of course, unsatisfactory and suboptimal, and we do not want to see it. We were making progress pre-pandemic. If the member looks at the pre-pandemic figures, he will see that the number of out-patients who were waiting for a first appointment reduced by more than 20 per cent. Over the same period—the 18 months up to March 2020—the number who were waiting more than 12 weeks for an out-patient appointment fell by more than 30 per cent.

We were making progress, but then we were hit by the global pandemic, which has affected health services up and down the country and, indeed, globally. We will continue with our £1 billion recovery plan and continue to invest in our national treatment centres. Most importantly, we will continue to invest in NHS staff, who are pivotal to that recovery.

The Presiding Officer: That concludes general question time. Before we move on to First Minister’s question time, I invite members to join me in welcoming to the gallery His Excellency Markus Leitner, Ambassador of Switzerland to the United Kingdom. [*Applause.*]

First Minister’s Question Time

12:00

National Health Service Waiting Times

1. Douglas Ross (Highlands and Islands) (Con): This time last year, there were 648 patients in Scotland’s national health service who had waited more than two years for treatment. How many people are now enduring that long wait?

The First Minister (Nicola Sturgeon): There are more people now waiting for NHS treatment. That will be the case for those who have been waiting for the longest periods of time, including more than a year and more than two years. That is why our NHS recovery plan is so important; it is to improve waiting times generally and to ensure that health boards are targeting those who are waiting the longest.

As we know—indeed, as the health secretary has just been narrating to the chamber—before the pandemic we were seeing progress on reducing waiting times. Given the pressures that there were at that time on the national health service, the pandemic obviously had a significant impact. However, in terms of the statistics that have been published most recently, we are starting to see tentative signs of improvement as a result of the actions that we are taking. In the most recent quarter, for example, we saw an increasing number of first out-patient appointments and a slight reduction in the number of those waiting for more than 12 weeks. Similarly, with the treatment time guarantee, an increasing number of patients were being seen.

The situation is challenging for the national health service. It cannot be otherwise, given the impact of a two-year pandemic that is still making its presence felt. However, the Government is supporting health boards to ensure that recovery happens and that, as part of that, those who have been waiting the longest for treatment are seen as quickly as possible.

Douglas Ross: The question was straightforward: there were 648 patients last year who had been waiting longer than two years for treatment. What is the number now? The answer that the First Minister could not or would not give is that 10,613 people in Scotland have waited more than two years for treatment in our NHS. The First Minister talked about tentative improvements, but that is a 16-fold increase in a year. That is not the NHS recovery that her Government promised; things are getting worse—far worse—not better. Now we are hearing of heart patients who are being given appointments two years down the line. Reports today state that people are receiving

appointment dates in July 2024. First Minister, is that acceptable?

The First Minister: In terms of the particular case cited in the media today, I do not think that that is acceptable. I know that a review of that particular appointment—which is a follow-up out-patient appointment, not a first out-patient appointment—is being undertaken and that contact will be made with the patient.

It is the case that waiting times generally, and the numbers of those waiting an unacceptably long time for treatment, have increased over the past year. I am afraid that that is the impact of a global pandemic. We have, over the past year, seen further waves of Covid that have had a big impact on the number of treatments that can be done in our national health service, as infection control measures have had to be tightened up and, of course, a number of staff have had Covid and been off sick. That is an impact that countries across the United Kingdom, Europe and the world are finding at the moment. That is why we are investing so heavily. Record numbers of staff are working in our national health service. The number has gone up considerably in the last year, and it is up by almost 30,000 since the Government took office. That is also why we are investing specifically in the recovery plan. Although the signs are tentative, it is encouraging that we are starting to see some of the improvements that I narrated in my earlier answer.

Although I am responsible for NHS Scotland, as is the Cabinet Secretary for Health and Social Care, it is the case that in very challenging circumstances, whether we consider waiting times for accident and emergency services or more generally, we see, through the efforts of staff in NHS Scotland, the work that is being done. For example the most recent statistics are that in Scotland, 101 patients are waiting per 1,000 of the population; in England, that is 112 per 1,000; and in Wales 221 per 1,000. That does not excuse the performance in Scotland—we have a responsibility to tackle the issue and that is exactly what we are doing.

Douglas Ross: The First Minister says that things are encouraging. How encouraging must it be for that heart patient to get a letter telling her to wait another two years to be seen?

As expected, the First Minister speaks about the pandemic. I have a constituent in Lossie who has waited four and a half years from first being seen by his doctor to getting the operation that he needs. Four and a half years is far longer than the pandemic—in fact, it is pretty much an entire parliamentary session. The longer and longer waiting times are a problem across every area of Scotland's NHS.

Twice as many Scots are waiting more than three months for key diagnostic tests when compared to last year. This morning, the president of the Royal College of Radiologists, Jeanette Dickson, said that for every four-week delay to a diagnosis of cancer, the risk of dying increases by 10 per cent. Those are her words. People are deteriorating; cancers are growing—sometimes, they become incurable. More often, patients have to have more devastating treatment, with bigger side effects that have a bigger impact on their quality of life, for the same outcome.

If our NHS is currently in that position, how bad will it be by winter, when so many more people need treatment? Will the First Minister act now, instead of waiting for the crisis to strike, as she did last year?

The First Minister: That is not what we did last year. What happened last year was that we had further waves of the Covid pandemic, similar to countries across the world. Of course I will mention the pandemic—there is not a health service on the face of the planet that has not had to deal with the impacts of the pandemic. Anybody who looks at the situation reasonably understands that.

Before the pandemic, we were seeing progress. For example, before the pandemic, the number of out-patients who were waiting for a first appointment had reduced by more than 28 per cent; over the same period, the number of out-patients who were waiting more than 12 weeks had fallen by more than 30 per cent. We were seeing an increase in the number of in-patients and day case treatments that were carried out. The pandemic clearly had an impact. At the start of the pandemic, we paused all but the most urgent treatments on the NHS, so the health service here, as in other countries, has to recover and catch up. That is what it is doing. We are starting to see some tentative signs of progress and we will continue to support the NHS.

The report by the Royal College of Radiologists is an important piece of work. Let me first set some context, because it is important. Since the Government took office, there has been a 95 per cent increase in the consultant oncologist workforce and a 63 per cent increase in the consultant radiologist workforce. As the report acknowledges, recruitment in those professions is challenging, nationally and globally, and it has to be said that Brexit makes it more challenging, but we are working with health boards on new approaches to maximise the capacity.

The report by the Royal College of Radiologists also says that the increasing use of imaging networks in Scotland is

“going from strength to strength”.

The challenges are inescapable, given what we have lived through in these past two years, but the Government continues to get on with supporting the NHS to recover and deliver for patients.

Douglas Ross: The First Minister does not like Opposition politicians to state that the Covid pandemic cannot be blamed for everything. Therefore, will she listen to the president of the Royal College of Radiologists, Jeanette Dickson, who said that the pandemic had not caused the shortages but had laid bare the shortages that were there before and that it had exacerbated them because of diagnostic backlogs? That is from clinicians who are speaking to the Government right now and saying, “Don’t use these excuses—these are clearly problems that have built up for years and years”.

Last winter, the NHS battled from crisis to crisis. Our ambulance service and A and E departments struggled so much with patient demand that our United Kingdom armed forces had to step in. This year, we are not even close to winter, yet the situation is far worse. Scottish patients are being sent to England for treatment that they cannot get here. The First Minister looks puzzled. Well, we have spoken to Alan Turner, a 70-year-old from Kelso. He was referred for a knee replacement in October. He was told that he would have to wait up to three years to get his knee replacement on the NHS in Scotland or he could go to England for private treatment, paid for by Scotland’s NHS. Reluctantly, he agreed to travel south, and he was successfully operated on. Then, when he returned to Scotland, he tried to get essential aftercare and physiotherapy locally, but he was told, for months, that he could not receive them.

Alan is now back to square 1. He cannot even bend his knee. He will need to endure the painful wait for treatment all over again. Although it is welcome that we can rely on services across the UK in times of need, should people such as Alan have to go to England for treatment in the first place?

The First Minister: Obviously, I am happy to look into individual cases, but, in general terms, that is a mischaracterisation of the position. I again point out to Douglas Ross that, although I do not shy away from the challenges in NHS Scotland, which are my responsibility, waiting times are worse in England than they are in Scotland and accident and emergency waiting times are worse in England than they are in Scotland. Furthermore, our A and E departments, which Douglas Ross mentioned, are the best performing of any in the UK, although their performance does need to improve.

I will come to Douglas Ross’s specific point. When someone waits too long for treatment on the NHS, if it is possible for NHS Scotland to access

treatment in the independent sector, at NHS Scotland’s expense, it will do that in the interest of the patient. There are agreements in place between Scotland and other parts of the UK for more specialist treatment, and those work in both directions. However, from the information that Douglas Ross has shared—I am happy to look at any more information that is available—the patient did not go to NHS England for treatment; instead, we paid for treatment in the independent sector so that they were treated more quickly than they would have been otherwise. That is what happens while we continue to invest in the improvement of waiting times in NHS Scotland.

We will continue to address those challenges, to invest and to support record numbers of staff in our national health service. We will get on with that job.

Child and Adolescent Mental Health Services

2. Anas Sarwar (Glasgow) (Lab): When Nicola Sturgeon became First Minister, 6,200 children and young people were on a mental health treatment waiting list. Of those, 25 per cent were waiting for longer than the target of 18 weeks, and 221 of them had been waiting for more than a year. Now, more than 10,000 are on a waiting list, 44 per cent have been waiting for more than 18 weeks and more than 1,300 have been waiting for more than a year.

Those failures have consequences. Here is just one. A mother contacted me about her son. He was diagnosed with autism 10 months ago but was told that he would have to wait to see a psychiatrist before medication could be prescribed. He is still waiting. In that time, his condition has worsened and he is begging for the medication to, in his words, “sort out my head”. He is eight years old. First Minister, why does an eight-year-old have to suffer with no support for almost a year?

The First Minister (Nicola Sturgeon): They should not have to, and I am not going to say that that is acceptable. However, again, in mental health treatment, as in the national health service more generally, we are investing to support health boards to deliver treatment and catch up with the impact of the pandemic.

We are seeing signs of improvement and I will, again, cite the most recent statistics, which were published just this week. In the most recent quarter, the highest-ever recorded number of children and young people started treatment in child and adolescent mental health services. That was 7.7 per cent up on the number in the previous quarter and it was a 20 per cent increase on the same quarter in the previous year. There was also an increase in the number of CAMHS patients starting treatment within 18 weeks of referral.

There is still a considerable amount of work to do, but the investment and reforms that we are making within mental health services are starting to deliver that improvement.

We have also increased investment. Since 2019-20, we have increased specific expenditure on CAMHS by almost £80 million, which is a 14 per cent increase. Overall expenditure on mental health services has risen by almost 9 per cent.

These are tough challenges—nobody says otherwise. As much as we would all love to, we cannot magic away the impact of the pandemic. We are supporting the health service to recover from the pandemic so that more patients can be seen more quickly, and that work will continue with the focus that it needs and deserves.

Anas Sarwar: As much as the First Minister might want to blame the pandemic, she cannot blame it for this one. This happened before Covid. Let me give her the stats.

Between November 2014 and March 2020, waiting lists increased by more than 5,000, the number of people who were waiting for more than 18 weeks more than trebled, and the number who waited for more than a year increased from just over 200 to almost 1,000—before Covid-19.

However, those statistics do not show how broken the system is. I have been contacted by another mother whose son was seen after waiting 18 months. His treatment made a difference, but it ended in June last year. His condition started to deteriorate by August, and he was put back on the waiting list. Despite reporting suicidal thoughts, he is still waiting 11 months on. After waiting for months already, why does a 14-year-old who has been referred, who has been seen and who is now reporting suicidal thoughts have to start again from the beginning?

The First Minister: I am not going to comment on individual cases, although I am always happy to look at them if they are sent to me.

On the treatment that young people are entitled to expect when they come forward to CAMH services, one of the other things that has been done recently is the publication of the national CAMH service specification, which sets out clear levels of service, and is backed by £40 million of additional investment. We are investing in more staff and reforming the way in which mental health services for young people work. When young people need specialist services, those services should be available to them, which is why the improvements that I talked about in my earlier answer do not go far enough but are important. We are also building up more community-based services so that fewer young people need to be referred to specialist services. For example, we have supported the employment of counsellors in

all secondary schools to support young people through early intervention.

We will continue to take steps to invest in and reform mental health services so that they become more preventative and operate on an earlier intervention basis.

Anas Sarwar is right. I have stood here on many occasions and talked about these issues, and we were seeing significant challenges, particularly in mental health, before the pandemic. That is why much of the investment that I have talked about has been made. Part of it is that, as the stigma of mental ill-health reduces, more and more young people are coming forward for help. We should encourage and be positive about that, but it makes it all the more important that the investment and reforms that I am talking about continue, and that is what will happen.

Anas Sarwar: The two cases that I cited are not just individual cases; they demonstrate a wider systemic problem. If mental health services are to be taken seriously, we need reform of the referral and triage system, we need a mental health professional in every general practice, and young people in every primary and secondary school need to have access to face-to-face services. Those are solutions, but all that the First Minister has done year after year—and again today—is offer warm words.

In 2015, Nicola Sturgeon said that waiting times were too long. In 2016, she said that there were far too many children whose needs were unmet. In 2017, she said that long waits were unacceptable. In 2018, she said that there was more work to do. In 2019, she said again that long waits were unacceptable. In 2020, she admitted that there had not been enough preventative and early intervention services before Covid. In 2021, she again said that long waits are always unacceptable, and we have heard the exact same script all over again today. Why does Nicola Sturgeon think that it is acceptable to use the same hollow words year after year for eight years while nothing changes, families are left to suffer, and kids are left to pick up the pieces on their own?

The First Minister: That is not the case. What we see with mental health treatment is more people coming forward for treatment. More people are being seen for treatment, but we are building services.

Anas Sarwar has put forward what he describes as solutions, but he has not mentioned anything today that is not already being done. For example, right now, we are recruiting 800 additional mental health workers for accident and emergency departments, general practitioner practices, police station custody suites and prisons. We are funding

1,000 additional staff in community mental health to build resilience there and to ensure that every GP practice has access to a mental health and wellbeing service. We are recruiting 320 additional staff in child and adolescent mental health services. The number of CAMHS staff is already at a record high.

All of that is being done. More people are coming forward, but more people are being treated. Anas Sarwar has glossed over the fact that I mentioned in my first answer, which is that, in the figures for the most recent quarter that were published this week, a record high number of children and young people were seen by CAMH services. Progress is being made because of the investments that we are making and the policies that we are introducing.

Is there much more work to be done? Absolutely—which is why we are going to get on and do it.

The Presiding Officer: We move to constituency and general supplementaries. I call Kenneth Gibson.

Bus Services (Ayrshire)

Kenneth Gibson (Cunninghame North) (SNP): Yesterday, Stagecoach announced plans to withdraw the X34 and X36 bus services from Ardrossan to Glasgow via Beith from 17 July. The loss of that vital link means that Beith, a town of 6,000 with no railway station, will be left entirely without a bus service to Glasgow. That out-of-the-blue decision will detrimentally affect the livelihoods of many constituents who are wholly dependent on the bus for travel to work, hospitals and higher education, or to access facilities and amenities that are available only in a city, while increasing the social isolation of people who visit other parts of Ayrshire. Stagecoach's decision comes in a week when North Ayrshire Council's new Scottish National Party—

The Presiding Officer: Can I have a question, please, Mr Gibson?

Kenneth Gibson: Okay, then—I will go straight to the question. What steps will the First Minister take to ensure that Stagecoach, which received £88.2 million of taxpayers' money last year, reverses its short-sighted and hugely damaging decision, which will also adversely impact on the Scottish Government's policy of encouraging the use of public transport?

The First Minister (Nicola Sturgeon): The issues that Kenny Gibson raises are important for people in Ayrshire, and he is right to raise them. I am disappointed to hear that Stagecoach is withdrawing the services that he mentioned, and I encourage it to look again at that. Of course, Stagecoach is a private company and it takes

such decisions on a commercial basis, but the Scottish Government supports the network with almost £100 million through the network support grant, which includes the provision of support to Stagecoach for local bus services. The Government also provides funding to local authorities to subsidise socially necessary bus services.

Therefore, I encourage Stagecoach and Strathclyde Partnership for Transport to work together to ensure that connectivity is protected in the area in question, for all the very good reasons that Kenny Gibson outlined.

Freeports

Liam Kerr (North East Scotland) (Con): Bids to be one of the two Scottish freeports are starting to fly in, and more are imminent. Those could herald a huge economic boost as we look to recover from the pandemic. However, thanks to the dither and delay of the Scottish Government, we are significantly behind the rest of the United Kingdom, especially the likes of Redcar and Thames. Does the First Minister agree that the freeports project shows what can be achieved when both of Scotland's Governments work collaboratively? Does she welcome the UK Government's injection of £52 million to ensure that such projects get going in Scotland?

The First Minister (Nicola Sturgeon): I hate to be the one to break it to Liam Kerr, but had we gone with the UK Government's timescale on the issue, we would have had significantly less money to invest in green ports in Scotland. It is only because of the negotiation of the Scottish Government, and Kate Forbes in particular, that we are getting funding on a par with the funding that freeports in England are getting, and that we are able to have environmental considerations and, crucially—I know that the Tories do not particularly like this—fair work considerations as part of the green port model in Scotland.

After a lot of work on the Scottish Government's part, we have come to an agreement with the UK Government, and that process is now under way.

Abortion Clinics

Carol Mochan (South Scotland) (Lab): The intimidating behaviour witnessed outside the Sandyford clinic in Glasgow appears to be escalating. On 12 May, the First Minister offered support to councils that would introduce bylaws to establish buffer zones at abortion clinics. On 13 May, after asking what Glasgow City Council could do in that regard to address the escalating issues, I was told to direct my inquiries to the relevant ministerial working group.

It appears that local and national Government are at an impasse. I am aware that long-term planning is under way, but we need solutions in the short term to protect these women. If the Scottish Government believes that this is the only publicly available legal option—and it is only an option—will it reiterate in writing its offer of support to councils and will it do so before the summit later this summer?

The First Minister (Nicola Sturgeon): I will do that very openly today. I am happy to put that in writing as well, but this is a pretty public way of doing it.

There are legal complexities to this and it does not help anyone for me to pretend that there are not. Those are complexities that local authorities and national Government want to work through. It would be my preference to be able to legislate nationally, in order to have a consistency of approach. We know that a forthcoming Supreme Court case, sparked by legislation in Northern Ireland, will undoubtedly have an impact on the legal framework here, but I am very clear in what I want to do.

In the meantime, I want to work with local authorities to see what more can be done to protect women accessing sexual health services, including abortion services. I find what is happening outside hospitals and outside the Sandyford completely and utterly unacceptable. Let me make that clear.

The summit that I have committed to convening will happen this month. It will bring together a range of interests including local authorities and the police. They, of course, operate independently, but there is legislation around antisocial behaviour that may have an impact or relevance here.

I repeat my commitment to finding solutions as quickly as possible. Lastly, I repeat my call to those who want to protest against abortion to come and do that outside this Parliament where the laws are made and to leave women alone and stop trying to intimidate them.

Economic Growth

Michelle Thomson (Falkirk East) (SNP): Forecasts this week from the Organisation for Economic Co-operation and Development have shown that the United Kingdom is set to have the lowest growth of any economy in the G20, apart from sanctioned Russia. That is a direct result of a Tory Brexit and will have a regrettable direct impact on Scotland, given that the majority of key economic levers reside with Westminster. Does the First Minister share my concern about UK Government mismanagement and will our independence prospectus help the public to understand why it is critical that those economic

levers are controlled by Scotland for the benefit of Scotland?

The First Minister (Nicola Sturgeon): I do, and I completely understand why the Tories are shifting so uncomfortably in their seats right now. We knew last week that, largely because of the folly of Brexit, the UK already had the highest rate of inflation of all G7 countries—I think that the rate of inflation in the UK is about double the rate of inflation in France right now. As of this week, we have the quite unbelievable situation of the OECD forecast suggesting that economic growth in the UK next year will be the lowest in OECD countries, with the sole exception of Russia, which right now is rightly subject to global sanctions.

That is the impact of Brexit, and the impact for Scotland of being part of the UK. If the Tories want to argue that that is the union dividend, all I can say is, “Good luck with that.” Rather than being subject to Westminster control, we can choose a better future as an independent, outward-looking country with power over the full range of economic levers to build a better Scotland. The prospectus for an independent Scotland will set out the deficiencies of being governed by Westminster and will point to small independent countries across Europe that, with the powers of independence, are doing so much better than the UK. That should be the inspiration for Scotland.

Resource Spending Review (Impact on Crime)

Stephen Kerr (Central Scotland) (Con): Yesterday, we heard yet again about the impact of the Scottish National Party’s financial incompetence. It seems appropriate to ask this question following the previous one. Public services face drastic spending cuts in areas including education, local authorities and the police. Does the First Minister agree with the Scottish Police Federation that the spending review has been good for criminals?

The First Minister (Nicola Sturgeon): No, I do not. Of course, this Government has supported more police officers, and we have one of the lowest rates of recorded crime in this country since, I think, 1974, with a 41 per cent reduction in recorded crime since this Government took office.

I am delighted that the Tories keep getting up in this chamber and elsewhere to talk about public spending, because it gives me the opportunity to remind them, the Parliament and everybody across Scotland that the amount of money that this Parliament and this Government have to spend is largely decided by Tories at Westminster. That is what is wrong with the situation. *[Interruption.]*

The Presiding Officer: Thank you, members.

The First Minister: This year, we have a budget that is lower in real terms by more than 5 per cent and is projected to continue to be constrained, notwithstanding the rate of inflation hitting 10 per cent. The sooner this Parliament and this Government are in charge of their own finances and we get them out of the hands of Tories at Westminster, with independence, the better.

Scottish Personal Assistant Employers Network (Funding)

Jackie Baillie (Dumbarton) (Lab): Funding for the Scottish Personal Assistant Employers Network has been withdrawn by the SNP Government. This is the organisation that helps disabled people to pay for their personal assistants, who provide care and support for disabled people to enable them to retain their independence. The immediate consequence of this closure, which is happening today, is that more than 500 personal assistants will not be getting paid this week.

I have seen the emails between the Government and the organisation and I am appalled, frankly, at the lack of understanding by the minister and his officials. No alternative has been suggested, and this crisis for disabled people is entirely the fault of this Government. It has the power to do something about it. It is about independence—the independence of disabled people in Scotland. What urgent action will the First Minister take to halt this impending crisis?

The First Minister (Nicola Sturgeon): I have become aware of the issue today, and I am asking Kevin Stewart, the relevant minister, to meet the organisation as a matter of urgency. There are a number of complexities here, which I will not go into now, but I want to see a solution found, and the best way to move things forward is to facilitate that discussion as quickly as possible.

Attainment Gap

3. **Sue Webber (Lothian) (Con):** To ask the First Minister whether she will provide an update on work to close the attainment gap. (S6F-01193)

The First Minister (Nicola Sturgeon): The Scottish Government remains committed to tackling the poverty-related attainment gap. That is evidenced, of course, by our increased investment of £1 billion in the Scottish attainment challenge, which is up by £250 million from the previous parliamentary session. Progress is being made. We can see that in, for example, the record high proportion of full-time, first-degree entrants to university coming from the 20 per cent most deprived areas of Scotland in 2020-21.

There is, however, more to do. The challenge has been exacerbated by the pandemic, which is why we continue to support headteachers through pupil equity funding, and it is why we are funding all 32 local authorities to develop strategic approaches, including in setting their own aims for progress.

Sue Webber: The First Minister stated in 2015:

“excellence in education is essential to our prosperity, competitiveness, wellbeing and to our overall success as a nation.”

Despite that laudable ambition, however, her Government’s spending review last week cut education spending by 5 per cent in real terms. Spending on children and families is set to be slashed in real terms by £15 million, spending on skills and training by £23 million and spending on higher education and student support by £30 million. Has the First Minister completely abandoned her promise to make education her top priority?

The First Minister: No.

Before I come on to what this Government is doing, let me remind the member what the calculation of real terms depends on. It is the rate of inflation that determines whether something is increasing or decreasing in real terms. I remind her that, this year, the total Scottish Government budget has declined by more than 5 per cent in real terms.

The rate of inflation in the UK is, of course, thanks to the UK Government’s policy decisions, including Brexit, the highest of any G7 country and double the rate of inflation in France. Perhaps a bit of self-reflection would not go amiss on the part of the Conservatives.

The spending review is not a budget. It allocates over the next few years the funding that we have available. Do I hope that that funding envelope increases? Yes, I do. Again, however, unfortunately, that depends on decisions that are taken by the United Kingdom Government. It is not my choice that this Parliament is dependent on Westminster decisions, but the choice of unionists across this chamber. *[Interruption.]*

The Presiding Officer: Thank you, members.

The First Minister: Let me come back to education. Education budgets have been increasing. My final point in this context—the most important point—is that we are increasing the funding for the Scottish attainment challenge to £1 billion, which is up by £250 million from the amount that we invested in the previous parliamentary session. That is the commitment; that commitment remains; and that commitment is strong, notwithstanding the hurdles that are put in our way by the Tories at Westminster.

Willie Rennie (North East Fife) (LD): In 2015, with a tear in her eye, the First Minister said that she wanted all young people to have the “same advantage” as she had. She put her “neck on the line” for education. Now, the word barely passes her lips.

The First Minister promised to substantially eliminate the attainment gap in a decade. Now, her Government says that it would be “top-down” and “arbitrary” to set such a date. We have the First Minister setting a date and the Cabinet Secretary for Education and Skills saying that it would be wrong to do so. The Government is all over the place on education. Young people want to know why the First Minister has given up on them and on closing the attainment gap by 2026.

The First Minister: We have not done so. Let me quote the manifesto commitment at the 2016 election, which said that the Scottish Government would support the substantial closure of the attainment gap by 2026. I stand by that. That remains the policy and the objective of the Government. We are seeing progress.

I am always mindful of the fact that I was the first member of my family to go to university. I am particularly mindful of that when a Liberal Democrat questions me, because I benefited from free tuition, which this Government continues to protect and on which the Liberal Democrats have a shameful record.

That is why, although there is still work to do, I am so proud of the fact that we are meeting our targets and increasing the numbers of those from the most deprived communities who go to university—something that the Commissioner for Fair Access described last week as an “unambiguous success”. We will continue to get on with the job, building on the progress—

Willie Rennie: A “success”?

The First Minister: Willie Rennie questions that, but that was how the independent Commissioner for Fair Access described our achievements in access to university by young people from the most deprived communities.

School Meals

4. **Stephanie Callaghan (Uddingston and Bellshill) (SNP):** To ask the First Minister, in light of reported findings from the children’s charity, Aberlour, that over £1 million is owed in school meal debt, whether the Scottish Government will provide an update on its plans to expand universal free school meal provision in order to support families struggling with the cost of living crisis. (S6F-01208)

The First Minister (Nicola Sturgeon): I am aware of the Aberlour report, which indicates that

more than £1 million is owed across Scotland in school meal debt, although the data in the report is incomplete and is from December last year. I have asked Scottish Government officials to look more deeply into the issue.

Scotland’s offer of universal free school meals—at this stage, to all primary 1 to 5 pupils and those in special schools—is the most extensive universal offer in the United Kingdom, and it provides to families support of around £400 per pupil. In addition, we have continued to support eligible families during school holidays and we will work with local authority partners over the coming months in preparation for the planned further expansion of free school meals.

Stephanie Callaghan: At this time of rising costs, it is concerning that families of school pupils are being chased for debts by councils. Does the First Minister agree that local authorities should write off that debt?

The First Minister: Households across the country are facing a Tory-exacerbated cost of living crisis that is pushing up food prices, and we know that those on the lowest incomes are hardest hit. I am deeply uncomfortable—as any decent person should be—with families being pursued for debt for school meals, especially in the economic climate that exists right now. I am therefore very sympathetic to calls for that debt to be written off. Part of what I have asked officials to do is to look at that.

It should be said that local authorities usually write off school meal debt for families. However, as I have said, I have asked Scottish Government officials to talk with the Convention of Scottish Local Authorities about what more can be done. Local authorities also have the flexibility to offer free school meals to families who do not meet eligibility criteria but are experiencing financial hardship, and I encourage anyone who thinks that they have become eligible for free school meals to apply as soon as possible.

Schools (Restraint of Children)

5. **Miles Briggs (Lothian) (Con):** To ask the First Minister what changes have been made since the 2018 report by the Children and Young People’s Commissioner Scotland regarding concerns about the restraint of children in schools. (S6F-01189)

The First Minister (Nicola Sturgeon): We are working closely with partners, including the Children and Young People’s Commissioner Scotland, through the physical intervention working group to develop new human rights-based guidance to address the concerns that are raised in the report and to minimise the use of restraint and seclusion in schools. I can advise members

that we will consult on draft guidance later this month.

Miles Briggs: Replies to freedom of information requests suggest that, in the past year, 3,000 children have been restrained in schools. Without statutory regulation, there is no need for local authorities to report or monitor restraint, and there is no statutory training, even for restraint that involves face-down restraint of young children in schools and care settings. Will the First Minister review the Government's approach of simply providing guidance? Will she agree to meet me, families and campaigners to take forward those changes?

The First Minister: I am happy to ask the relevant minister to meet Miles Briggs, campaigners and families.

I will make a couple of points, which I hope will be helpful. First, I am sure that we all agree that restraint and seclusion should only ever be used as an absolute last resort to prevent harm, and only when they are in the overall best interests of the child or young person.

Secondly, as I said in my original answer, we are currently preparing to consult on draft guidance. We will do that later this month. However—I hope that this is helpful—we are committed to looking further at the options to place that guidance on a statutory basis, particularly if the guidance does not have the desired effect, although I hope that it will make a difference. We will not rule out legislation, and we will actively consider the options for that.

Displaced Ukrainians (Supersponsor Scheme)

6. Kaukab Stewart (Glasgow Kelvin) (SNP): To ask the First Minister whether she will provide an update on the Scottish Government's supersponsor scheme for displaced Ukrainians. (S6F-01203)

The First Minister (Nicola Sturgeon): As of today, there have been 12,861 applications for a visa with a Scottish sponsor, more than 11,500 visas have been issued, and around 4,200 displaced Ukrainians with a Scottish sponsor have now arrived in the United Kingdom. Some 2,035 of those have an individual sponsor, and 2,236 have the Scottish Government as supersponsor.

In partnership with local government and third sector partners, we have established a network of welcome hubs with access to meals, accommodation and support for anyone who arrives here. They have now triaged more than 2,100 people. A national matching service that is being delivered by the Convention of Scottish Local Authorities is working hard to find longer-term accommodation, using all options, including

the generous offers of accommodation that have been made by the public.

A national response has been developed and delivered at pace. We will, of course, continue to ensure that all those who are arriving are treated with compassion and care.

Kaukab Stewart: It continues to be the case that local authorities that welcome displaced people through the Ukraine family scheme receive no funding at all from the UK Government, and even the £10,500 per person under the homes for Ukraine scheme is not much, considering all the provisions that need to be put in place to support those who are seeking refuge. Will the First Minister urge the UK Government to urgently put in place appropriate financial support for all local authorities, no matter what scheme people have arrived through, to ensure that those who are settling here can have all their needs met?

The First Minister: Yes, that is an important and serious issue, and there have been acknowledgements from UK Government ministers—principally Michael Gove—that those are serious issues. Neil Gray and I have repeatedly raised the issue, and we will continue to do so in the strongest terms.

The £10,500 per person tariff does not provide adequate funding for local authorities and public services. That tariff is not even provided to local authorities for people who arrive through the family visa route, and I do not think that that is acceptable.

Our local authorities and public services are supporting people, regardless of their visa route. There is a clear need to provide appropriate funding that reflects the unique impact of the implementation of the various UK Government schemes on public services and local communities.

The matter is reserved, of course, but we take our responsibility seriously, and the Scottish Government wants to do as much as it can. The Scottish Government has therefore committed £11.2 million to local authorities to support resettlement and integration and the refurbishment of properties.

Victims of Rape and Domestic Abuse

7. Pauline McNeill (Glasgow) (Lab): To ask the First Minister what steps the Scottish Government will take to ensure that victims of rape and domestic abuse are not retraumatised as a result of plans to allow them to formally meet those who harmed them. (S6F-01196)

The First Minister (Nicola Sturgeon): We recently launched two hubs to support the national roll-out of restorative justice services, which

enable safe—and voluntary—facilitated contact between people who have been harmed by crime and those responsible for such harm. However, I stress that such contact is voluntary and occurs only where the victim of crime wants it to happen. It is important to note that the needs of people who have been harmed are at the heart of the process. If they choose to have such contact, they will set the pace at all stages and can stop the process at any time.

I recognise that victims and survivors in sensitive cases involving sexual harm and coercive control may request access to restorative justice. We are working with partners to design services to respond appropriately to such requests. A trauma-informed and comprehensive risk framework will be created for such cases, and will have at its centre the individual needs and safety of the person who has been harmed.

Pauline McNeill: The First Minister is right to reiterate the words of Sandy Brindley of Rape Crisis Scotland, who has said that no one should ever feel that they have to have such contact or that they have been pressurised in any way.

I believe that we must improve experiences of the justice system for victims of sexual violence, which disproportionately affects women and girls, and I know that the First Minister feels strongly about that, too. The Criminal Justice Committee has heard from survivors of rape and sexual assault, who said that they felt as though they were being treated as the guilty party. Long delays in the current court system mean that they are often left in the dark as to what happens in their court cases.

Does the First Minister think that more support should be given to victims, such as offering them legal advice before they go to court? Will she consider a proposal for—or even enter into dialogue on—a means-tested independent legal representation scheme in the pre-trial period for victims of rape and survivors of serious sexual violence, as a way of radically altering their experiences?

The First Minister: Yes, I will consider that. Issues on independent legal representation of victims of rape and sexual violence in the criminal justice system have been raised in particular contexts in the past—for example, where information about the history of the victim has been requested as part of the court process. Those are important issues.

I agree with Pauline McNeill. Sadly, it is simply a statement of fact that, even in our society today, many survivors of rape and sexual assault are often left feeling undersupported and as though they are somehow the guilty parties. That is partly down to attitudes in society. Right now, there is

also an impact from backlogs in the court system because of the pandemic, which is why we are working hard to address those.

We are already funding organisations to deliver the equally safe initiatives. We have a duty to consider anything that we can do to better support people who have been affected by such crimes, so I will consider Pauline McNeill's specific proposal. As for the subject matter of her original question, I again reiterate the voluntary nature of such contact. As I have certainly raised in Government, it is one thing to say that a process is voluntary, but we must ensure that even offering people that option is not heard by victims as somehow suggesting that they are expected to or are being pressured to do that, so the way in which that is implemented will be really important.

The Presiding Officer: That concludes First Minister's question time.

Jackie Baillie (Dumbarton) (Lab): On a point of order, Presiding Officer. The First Minister might not be aware that Kevin Stewart is ill with Covid and is self-isolating. I am sure that members will wish him a speedy recovery. Will the First Minister therefore ensure that, in his absence, the Cabinet Secretary for Health and Social Care meets representatives of SPAEN today?

The Presiding Officer: As Ms Baillie will be aware, that is not a point of order for me. However, her point is now on the record.

NHS Staff Recruitment and Retention

The Deputy Presiding Officer (Liam McArthur): I ask those leaving the chamber and the public gallery to do so as quickly and as quietly as possible, because business is resuming.

The next item of business is a members' business debate on motion S6M-04464, in the name of Rhoda Grant, on national health service staff recruitment and retention. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the reported ongoing issues with staff recruitment in NHS Highland, while it attempts to expand its services by providing a National Treatment Centre in Inverness and to support NHS Grampian by providing obstetric services for Moray; considers that the Highlands and Islands has a world-class university in the University of the Highlands and Islands (UHI); understands that UHI previously carried out successful training of midwifery staff for the Highlands and Islands region to meet staffing demand as part of a two-year pilot in response to a specific workforce need; further understands that funding for this programme has now been moved to Edinburgh Napier University to cover the whole of Scotland; notes the view that NHS staff should be trained close to home in order to enhance recruitment and retention of staff, and further notes the call, therefore, for the Scottish Government to develop training for NHS staff at the University of the Highlands and Islands.

12:51

Rhoda Grant (Highlands and Islands) (Lab): I thank the members who signed my motion, allowing this debate to take place. I also thank all the individuals and organisations that have provided briefings—far too many to name, which shows the level of interest.

Staffing issues are common throughout the NHS—indeed, last weekend, in a Royal College of Nursing survey, 90 per cent of nurses said that their latest shift had been understaffed. Currently, across Scotland, 6,209 nursing and midwifery posts are vacant. In NHS Highland, that figure is 296, which is 8 per cent of all nursing and midwifery posts in the board area.

When there are staff shortages across Scotland, we in the Highlands bear the brunt of them, because it is easier for people to change their careers without that impacting on their families when they live in the central belt. In the north, we need to make it attractive not just for the person to move but for their whole family to be uprooted. Therefore, it is a lot harder for us to recruit.

Added to that is a shortage of affordable housing, local services and public transport. Therefore, it is no surprise that waiting times in NHS Highland are among the longest in Scotland.

NHS Highland is attempting to recruit from all over the world. It is not for the want of trying that it finds itself desperately short staffed. Portree hospital's urgent care unit is closed more often than it is open. Home care services and care homes are also desperately short staffed. The new Broadford hospital, which was opened by the Cabinet Secretary for Health and Social Care only weeks ago, cannot be fully utilised because of a lack of staff. Dentistry in Moray is so dire that NHS Grampian is requiring dentists in Aberdeen to step in and help. Dunbar hospital's minor injuries unit only recently reopened as there were staffing challenges due to staff being moved to support the Covid response.

Staff are totally burnt out by the pandemic. Some are off sick with stress or other mental health issues, and some are leaving the profession altogether or taking early retirement.

I turn to maternity care specifically. Since Caithness general hospital's maternity service was downgraded, women whose births are likely to involve complications have been sent, usually by road, to Inverness—more than 100 miles away. This week, a petitioner made the point that that is like a mother in Edinburgh travelling to Newcastle for maternity care.

At the time of the downgrade of the Caithness maternity unit, clinicians in Inverness expressed concern about staffing in Inverness and whether they would cope with the additional numbers. Members of the local community in Caithness were obviously concerned about the long distance that women needed to travel to access those services. Risk assessments of the service in Caithness were carried out due to the lack of paediatric support, but nobody has risk assessed the journey from Caithness to Raigmore hospital in Inverness.

Alex Cole-Hamilton (Edinburgh Western) (LD): I share Rhoda Grant's sentiments about the unacceptable distance that expectant mothers are expected to travel from Caithness to Raigmore. She will recognise that a lot of work has gone into addressing a similar situation in Moray, and a solution has largely been found. However, no such solution has been found to the Caithness situation, nor has any Government time been devoted to addressing it. Does she agree that that is a crying shame?

Rhoda Grant: I do, and I have written repeatedly to the cabinet secretary to ask him to visit and speak to people in the Caithness community. I understand that he is going to do that, which is extremely welcome.

As Alex Cole-Hamilton said, there is the same situation in Dr Gray's hospital in Elgin, which is part of NHS Grampian. Again, the plan is to

reroute complex cases to Raigmore hospital in Inverness. However, this time, clinicians, management and the community know that that cannot happen without additional staffing and investment at Raigmore. Despite that, it appears to be a fait accompli.

We read in the news at the weekend about two cases—one in Moray and one in the south of Scotland—in which babies were born by the roadside. Those births were deemed to be too complex to be supported in the local community midwife-led unit, yet it is somehow safer for those babies to be born by the roadside without any support. I really do not believe that.

The risk to mothers and babies that is created by that system is enormous, especially in the winter months, and it puts added pressure on paramedics, which is also unacceptable. I beg the cabinet secretary to take that risk on board, because it should not take a death to prove it.

We need to act. We need to train more staff in all disciplines but, crucially, in maternity care, obstetrics and paediatrics. In the Highlands and Islands, we have our wonderful, world-renowned university—a new university that is at the cutting edge of delivering education and research differently. It used to run a fast-track midwifery course, which was open to nurses, was held close to home and allowed them to enhance their training in midwifery. The course was building steadily and would have provided the maternity workforce of the future, albeit that it was drawing from the already stretched nursing workforce. However, as so often happens, the course was centralised in Edinburgh Napier University.

In my opening remarks, I alluded to the difficulty that that creates. People are reluctant to uproot their families to further their careers. Therefore, to grow our workforce, we need to provide training close to home. Evidence from NHS Education for Scotland highlighted that midwives are more likely to remain in the area where they were trained. I am sure that the same goes for other disciplines.

The current situation also adds costs to our health boards. Employing locum or bank staff is much more expensive than employing a full-time member of staff. The use of locums also creates issues for patients, because there is very little continuity for them.

There are also issues in how we train our professionals. We focus on team working within specialities. In rural areas, we need generalists who are able to turn their hand to treating a number of conditions, and they need to be able to work with very little support. We currently recognise a depth of knowledge through career progression and salary, but those with a breadth of

knowledge find their skills unrecognised, both professionally and financially.

Although I have based my points on maternity services, the same is true in other disciplines. Mental health services in Caithness are at breaking point, with tragic consequences. General practitioners are handing back their practices to health boards, and we have some of the longest waiting lists in Scotland. The situation is untenable.

I urge the cabinet secretary to act. Any further delays will lead to loss of life.

12:59

Jackie Dunbar (Aberdeen Donside) (SNP): I am pleased to take part in this important debate, and I congratulate Rhoda Grant on securing it. I will start by agreeing with her that there are many complex challenges in our NHS, particularly in relation to recruitment and retention in Scotland and across the rest of the United Kingdom.

The Covid-19 pandemic systematically changed the way that we provide healthcare in Scotland, and there is no doubt that the pandemic exacerbated pre-existing challenges in health and social care. It caused staff to change their working patterns and practices as they adapted to enormous challenges and hugely demanding environments. It is self-evident that that will have an impact on recruitment and retention, and what we do to address those issues is important. We should also bear in mind the combined impact of the pandemic and Brexit, which, it must be accepted, has created massive barriers to the recruitment of staff in our health service.

The challenges that Rhoda Grant's motion cites are not confined to the Highlands and Islands; we have our own challenges in Aberdeen Donside and across NHS Grampian. Continued workforce supply challenges, alongside high levels of vacancies—particularly in medical specialities and in nursing and midwifery—and a recent increase in the number of vacancies in allied health professions, have resulted in an overreliance on supplementary staffing across our NHS, including in Aberdeen. The currently available supply of staff is insufficient to meet the ever-increasing demands on our health boards.

However, there are opportunities to look at alternative supply pathways. Participation in further international recruitment initiatives—using the networks of current NHS staff—continued development roles, links with further education, apprenticeship programmes and a review of all agency placements will be key to making the changes that are necessary to address the supply challenges.

How will that be achieved, particularly for NHS Grampian? The Scottish Government must continue to support the board to extend the workforce market to a wider range of potential applicants. We must utilise current supply pathways, while seeking to widen those routes through innovative approaches, and implement an easy and intuitive process that encourages individuals to apply for posts and improves candidates' experiences of recruitment.

That approach must invest in marketing the brand of NHS Grampian by offering a range of jobs and career opportunities, and it must create a service model that is service based and influenced by the diverse resource, capacity and skills of the existing and future workforce. That model must be applied in a way that uses skills, generates effective teams and is efficient, so that it creates a workforce that is fit for purpose.

In order to ensure retention, the board must be supported to implement the staff governance standards within a culture in which staff and their contributions are valued and listened to, and we must ensure that the current workforce is offered appropriate development opportunities.

Today, I asked the cabinet secretary for a commitment that the board will be supported with those aims and that all action will be taken to ensure sufficient staffing of our valued NHS, which is so important to many constituents across Donside.

I have heard lots of complaints about an ageing workforce being an issue that faces our NHS. However, when I touched base with NHS Grampian ahead of the debate, I learned that it recognises that an ageing workforce presents an opportunity, because staff are highly experienced. I pay tribute to the board for exploring new and innovative ways of working and opportunities for staff who wish to continue working beyond their retirement age. The board fully supports the ageing workforce and, in many cases, provides opportunities for older staff to move into mentoring and senior roles, as well as opportunities for career advancement.

I welcome this debate and the steps that the Scottish Government is taking to support NHS recruitment and retention, and I reiterate my asks of the cabinet secretary.

13:04

Sandesh Gulhane (Glasgow) (Con): NHS staff have played a vital and enduring role during the Covid pandemic. Like all my colleagues in the Parliament, I reiterate my thanks for their efforts and continued resilience as we begin rebuilding from the pandemic.

Jackie Dunbar spoke of an ageing workforce. Actually, the worry is not about their age but about the possibility that the ageing workforce will retire with no one to come in behind them.

I share Rhoda Grant's concerns that the Scottish National Party Government has yet to adequately support NHS staff in Scotland. We are faced with serious recruitment and retention problems, and not only in the Highlands and Islands. Many of the issues that we see today are the result of failed workforce planning.

The SNP Government is not treating long Covid with the urgency that it requires. The number of people who have suffered for more than a year has doubled in just six months. Across Scotland, it is estimated that more than 150,000 people are suffering from long Covid, and, of those, 64,000 have been experiencing symptoms for more than a year. That is increasing the strain on services and on NHS staff.

The recent workforce plan was insufficient and lacked ambition. The number of unfulfilled registered nursing posts in NHS Scotland continues to grow, which increases pressure on already overworked and exhausted nursing staff. The latest statistics on the nursing workforce, which were published two days ago, show that 9.5 per cent of registered nurse posts in Scotland were vacant as of 31 March 2022. That is a record high. The rate equates to 4,605 unfilled registered nurse posts compared with 4,500 by the end of 2021.

The overall number of vacant nursing and midwifery posts was 6,209 as of 31 March 2022, which was up from 4,495 on the same date in 2021 and was an increase of more than 38 per cent in 12 months. Non-Covid sickness absence in the whole NHS workforce has increased to 5.7 per cent, up from 4.7 per cent on 31 March 2021, which increases the pressure on the whole service.

Colin Poolman, the Royal College of Nursing interim director, said that nurses

"deserve more than to turn up to work shift after shift and be expected to deal with significantly increased demand with fewer and fewer nursing staff."

I could not agree with him more. Immediate action is required to support staff retention.

To address long-term recruitment issues, we need to take a comprehensive approach to workforce planning for the whole of NHS Scotland—in every profession and at every level. Furthermore, we would remove the cap on the number of funded places for front-line medical students in order to increase the number of home-domiciled students, because we know that they are more likely to continue working in NHS Scotland.

Successive SNP health secretaries have simply failed to adequately address workforce planning in our NHS, and the devastating results are clear for us all to see.

13:07

Jackie Baillie (Dumbarton) (Lab): I join others across the chamber in thanking NHS and social care staff for their hard work, and I congratulate Rhoda Grant on securing this debate. She makes a powerful case for training NHS staff as close to home as possible and specifically for training to be provided at the University of the Highlands and Islands. I support her in that call.

I want to talk in more general terms about staff recruitment and retention. The Royal College of Physicians and Surgeons of Glasgow summed it up for me when it said that

“there is not enough staff to meet the needs of our patients”,

and that

“the challenges of workforce shortages ... are not new. They existed long before the pandemic and have deteriorated since.”

On Tuesday, NHS workforce statistics were published. They show that 9.5 per cent of registered nurse posts are vacant, which is a record high, while the overall number of vacant nursing and midwifery posts has gone up by 38 per cent to 6,209 in the past 12 months alone. The day before that, the Royal College of Nursing published what was, frankly, a shocking survey that told us that eight out of 10 nurses had patient safety concerns while working on their most recent shift, because they were so understaffed.

Earlier this year, six out of 10 nurses were actively considering leaving their job; at the start of the pandemic, it was three out of 10. The key reasons for leaving included feeling undervalued, being under pressure at work, unsafe staffing levels and low pay. Forty per cent are working beyond their contracted hours, while 67 per cent are too busy to provide the level of care that they would like.

When the Royal College of Midwives surveyed its members, it found that 70 per cent are considering leaving the service. Like the RCN, its members cited the safety of their patients due to the lack of staffing as a very real problem. Faced with all that pressure, it is little wonder that staff are leaving the NHS.

It is not just nurses. One in five consultants are leaving the NHS well before retirement, citing burnout as one of the key reasons. There is a shortage of allied health professionals and a shortage of GPs, too. In fact, the workload of GPs is enormous and there are simply not enough of

them to cope with rising demand. Although I think that we would all welcome the Government’s plan for 800 more GPs, I reflect on the words of Dr Andrew Buist of the British Medical Association, who said:

“training an extra 800 is not the same as getting them into practices where they are needed to improve access to patients.”

Getting workforce planning right is critical, but it will take time, so the retention of existing staff must be an urgent priority for the Government. We need to care for staff so that they can continue to care for us, and that extends beyond their welfare, important though that is. We need to pay them better and to recognise and reward their hard work—and that applies to both health and social care. We also know that the NHS lacks flexibility. Instead of letting 40 years of experience walk out the door, can we not see if we can retain that knowledge and those skills on a part-time basis?

Above all, let us implement the Health and Care (Staffing) Act 2019, which everybody in this Parliament voted for, to ensure that we have safe staffing levels. It has been on the statute book for three years now, and nothing has happened. The cabinet secretary says that he will publish a timetable by the end of June, which is welcome, but a timetable that is vague and which pushes implementation years down the line will simply be unacceptable.

There is a huge crisis coming that has been unfolding for years, and the cabinet secretary is giving the appearance of being asleep at the wheel. I hope that he wakes up before it is too late.

13:11

Alex Cole-Hamilton (Edinburgh Western) (LD): I start by thanking Rhoda Grant for securing parliamentary time for this important debate. I also associate myself with her remarks about the difficulties faced by expectant mothers who travel from Caithness to Raigmore hospital to deliver their babies. It is in nobody’s estimation safer for a baby with complex needs to be born by the side of a road than in the care of a hospital nearer to their home, which should be our aspiration for those families.

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I do not disagree with Alex Cole-Hamilton’s comments. However, does he recognise that the decision on Caithness was taken by the health board itself, because of a very tragic case, and that patient safety was at the heart of that decision when it was taken a number of years ago?

Alex Cole-Hamilton: I recognise that. However, the decision was taken a number of years ago,

and things have moved on. We need to listen to the community and clinicians and actually make it safer for mothers to deliver their babies close to their homes in Caithness.

I also thank the Royal College of Nursing, which, alongside others, has worked tirelessly to provide the country with the information that we are debating today and which illuminates the current crisis in nursing—and I repeat that it is a crisis. It is unfortunate that the information makes such bleak reading, given that we have been talking about this issue for what feels like years.

The RCN Scotland survey report, which, as we have heard, was released this week, has revealed that awful statistic of 90 per cent of nurses who responded believing that the number of nursing staff on the last shift that they worked was not sufficient to properly meet patients' needs. Not only is that dangerous for patients, but, as the report highlights, it puts an inordinate amount of stress on staff. They sacrifice their own wellbeing to deliver the care that their patients need, and as a result, 63 per cent of staff in Scotland have said that they feel "exhausted" to the point of negativity by the end of the shift. I would like to highlight that that statistic is only 10 per cent higher than the average UK figure. The daily reality is dire and is, in fact, quickly becoming untenable.

Describing their experience in another recent RCN report, one nurse said:

"One day I walked into my shift, and ... I was on my own in the entire floor. I can't describe how I felt at the end of that shift, emotional, physically".

They go on to say:

"Something should be done about the staff shortage and fast otherwise nurses will be forced to leave one by one and the few remaining will die of stress and burnout".

That reality is particularly stark in remote and island communities.

I think that those words speak for themselves. The reality is that we as a Parliament have passed legislation that should not allow this to happen. In the safe staffing legislation that we passed, we as a Parliament recognised that we cannot allow shifts to proceed in such unsafe ways—and yet still they do. I welcome the fact that the cabinet secretary has finally announced a long-overdue timetable for implementing the legislation, but we have been waiting for three years now. I reiterate the point that I often make that this is not just about head count; we need to be sure that every shift has the right mix of skills and experience to deliver patient care safely.

As the nurse whom I quoted made clear, the unbearable working conditions mean that more and more staff are being lost to the profession. They are forced to give up the job that they love,

which potentially puts off people who are considering entering the profession. That will lead inexorably to fewer staff, putting more pressure on current staff and making working conditions worse than ever before. It is a vicious cycle that we need to break.

This is why the Liberal Democrats have called for the establishment of an NHS staff assembly to learn from the lived experience of staff, and I was heartened yesterday to hear Humza Yousaf agree to look seriously at the proposal. It is also why our party has repeatedly called for a burnout prevention strategy, which would implement mental health help for front-line staff and support them in their job. However, that suggestion has been voted down on successive occasions and routinely dismissed by the Government, including in an exchange yesterday, when Humza Yousaf referred to the idea as being just a piece of paper. The problem is that, despite the health secretary telling us repeatedly about the money that is being invested in staff welfare, the Government has yet to produce its own piece of paper saying how that money will be spent on supporting NHS staff. A burnout prevention strategy is exactly what those people need.

The motion also refers to training NHS staff in all areas of Scotland, not just the central belt, which is something that the Liberal Democrats are fully supportive of. This cannot be a postcode lottery. Widespread training programmes are an important step in producing widespread care, which is vital to ensuring our nation's health.

I will end—you have been very good to me, Presiding Officer—with the words of Pat Cullen, the RCN's chief executive, who said:

"To those from government listening to my words—we've had enough. The patients and those we care for have had enough."

It is long overdue that the Government not only listens but acts.

The Deputy Presiding Officer: Thank you, Mr Cole-Hamilton. I am always good to everybody.

13:16

Carol Mochan (South Scotland) (Lab): I, too, thank Rhoda Grant for bringing this important motion to the chamber. I echo the points that she has made on the difficulties of recruitment in rural areas, including her area of NHS Highland. Recruitment is a major concern across the NHS, but that concern is definitely heightened in rural areas.

As Rhoda Grant has said, the RCN advised us before the debate that in NHS Highland 224 registered nurse posts—nearly one in 10—are vacant. That situation is reflected in other rural

areas. It is a significant cause for concern that the Government ought to take very seriously and act upon.

NHS staff recruitment and retention is an on-going issue that has been debated many times in the chamber and raised repeatedly by nursing trade unions. As I say regularly in the chamber, the Scottish Government cannot take the time to pat itself on the back while vacancies remain high across the country, staff remain under pressure and services continue to be strained.

The Government must consider carefully the ways in which recruitment can be improved, and that must include the training of NHS staff close to home. As someone who covers a rural constituency, I hear time and time again many of the points that were made by Rhoda Grant earlier in the debate. We have first-class university and college facilities across Scotland, and it is important that training programmes are rolled out in our rural areas such as the Highlands and my area of the Borders to ensure that people who wish to enter the healthcare profession can train and then—we hope—take up posts close to home.

Moreover, in our efforts to ensure that care is community based and available locally, we must recruit more people in key areas such as mental health and learning disabilities, as was referenced in the RCN's briefing, to ensure that such services have the staff to meet demand and can be delivered close to the people who rely on them. That helps patients and staff, both of whom can benefit from having facilities close to home. That is so important in rural areas.

As we know—and as has been mentioned by members across the chamber—recruitment and retention are closely linked. Just last month, at First Minister's question time, I highlighted discussions with the Unison trade union on how workplace pressures in NHS Borders had led staff to report to the union issues such as staffing levels that are dangerous for both patients and staff and staff not receiving proper rest breaks.

That situation is unacceptable. I know that the Government has acknowledged that and that it says that it will address the issue, but we on the Labour benches have to keep pushing to ensure that the safe staffing legislation is enacted and that the Government takes the issue seriously. Those points have previously been made in the chamber, and we must now start to enact some of that work.

The healthcare workforce gives so much to the community and to our country, but it often feels that it gets so little back. Is it any wonder, therefore, that vacancies remain so high and that staff feel under so much pressure? If we want to recruit and retain a skilled workforce that serves every part of our country, including rural areas, we

must start by alleviating some of the barriers to the recruitment of students and addressing the workplace pressures that staff currently face in order to make the healthcare setting an appealing one in which to work.

As Rhoda Grant's motion makes clear, the Highlands have seen the removal of a key training programme from a local university to the large city of Edinburgh. It is also clear from today's contributions—and, indeed, from trade unions and NHS workforce briefings—that current workforce pressures are significant and put strain on the ability to deliver the service that patients deserve.

Those two clear issues that are highlighted in the motion and which relate to recruitment and retention can be fixed by bringing training programmes closer to home. For rural areas, that would mean having valued NHS staff close to home who could provide those services. It is a significant point that the cabinet secretary should follow up.

13:21

Brian Whittle (South Scotland) (Con): I, too, congratulate Rhoda Grant on introducing the debate. As I think she will recognise, it is not the first time in the past couple of sessions that we have discussed such issues in the chamber.

When my daughter was at university, I had a conversation with her in which she told me that she had decided to change from studying law to studying midwifery. That was a switch—law to midwifery. When we looked at the possibility, we found that there were 10 applications for each available place to study midwifery at college. I raised that with her, but she still wanted to do it. On she went, and she got one of those places.

Having looked at midwifery, I then looked at other medical professions, such as nurses and physios, and found that there were four times as many applications as the number of available places. My colleague Sandesh Gulhane talked about the cap on medical students from domiciles in Scotland, but the fact is that there is no lack of applications from them.

As has been mentioned, when it was previously highlighted that Scotland had a shortfall of 864 GPs, the Government responded by suggesting that a further 800 GPs would be trained over the next decade. However, that failed to take into account GP turnover. Indeed, an Audit Scotland report suggested that, in 10 years, we would still be left with a shortfall of 600 GPs.

Early in my political career, a constituent unfortunately lost a child in childbirth at Crosshouse university hospital, which had an inordinately high number of baby deaths. We

managed to get Healthcare Improvement Scotland to carry out a report into the situation, and it discovered that the neonatal unit was 24 staff short. My daughter now works in that neonatal unit, but when she first qualified as a midwife, she could not get a job in Scotland and had to travel to Preston to do three 12-hour shifts before getting the train back up. Fortunately, she now works in the Scottish NHS.

So where is the workforce plan? One issue that I suggest we look at, especially with regard to the lack of GPs and the importance of having Scotland-domiciled students, is the fact that where those students work tends to relate to the postcode that they put on their Universities and Colleges Admissions Service form. I think that that is highlighted in Rhoda Grant's motion.

One of the issues that we are discussing today is recruitment and retention, but the phrase is the wrong way round. The first thing that we should do is ensure that we retain the staff that we have. If we do not, it will be like trying to fill a bucket with a hole in it.

We need to create an environment that our medical staff want to work in. We must take more cognisance of reports of bullying; we must ensure that there is advancement; and we must ensure that the hours and shifts that staff have to work provide a more balanced life. I remember talking five years ago about ensuring that hot meals are available for staff who work evening shifts, which is something that does not always happen.

A more important issue these days is ensuring that mental health support is available for all our healthcare staff. If we want to invest in health services further upstream as part of the prevention agenda, which is my passion, we need a workforce that can deliver them. One of the first things that I said in the chamber was that, to improve the health of our nation, we had to start by looking after the people who look after us. When we discuss recruitment and retention—or, I should say, retention and recruitment—we must ensure that what we actually mean is that we will look after the health of those who look after us, because that will go an awfully long way towards starting to deal with the issues outlined in the motion.

13:26

Michael Marra (North East Scotland) (Lab): I, too, thank my colleague Rhoda Grant for bringing the debate to the chamber and for highlighting the needs of her constituents, in relation to not just workforce planning but the particular challenges that pertain to the dispersed population of the Highlands. Special accommodation must be made for that population if we are to ensure that our

national health service provides for them appropriately.

Unsurprisingly, I want to talk about my constituents and the similar challenges that they face with regard to workforce planning in particular. There are major shortfalls in the numbers of oncology consultants in NHS Tayside, particularly for breast cancer patients. Many of the workforce planning issues that have been raised so far impact on that situation.

I know that the cabinet secretary recognises that workforce planning is a challenge across all of Scotland. A 2020 Scotland workforce census showed that an estimated 18 per cent of consultant clinical oncologists are forecast to retire by 2025. My home city has borne much of the brunt of that challenge. How many patients will have their cancer treatment compromised before there is change on a systemic level in response to that?

During general question time, I confirmed to the cabinet secretary that, in the past couple of weeks, the final breast cancer oncologist has left their employment at Ninewells hospital.

There is a considerable history to the issue. We need a comprehensive workforce plan and, clearly, recruitment is part of the response. However, I am fast coming to the conclusion that a recruitment process alone will not deal with the problem.

When a prospective consultant sees an advert, they research the centre, google its record and speak to colleagues in the international community who are involved in the relevant services. For Dundee, they will find a record of conflict between clinical staff and management, a seriously flawed Health Improvement Scotland report and reports of a culture of bullying, which members have referred to in exchanges in the Parliament this very day. Sandesh Gulhane raised that issue today—I will take his intervention.

Sandesh Gulhane: Does Michael Marra agree that the secret report must be made public and that we must urge the cabinet secretary to intervene?

Michael Marra: I certainly agree that all documents pertaining to the situation should be put into the public domain. Sandesh Gulhane is referring to a report by the Royal College of Physicians in London that was commissioned in 2019. It is shrouded in conflict of interest issues relating to some of the members who were involved in the production of the report. It seems to have been shelved, but the reason for that has never been entirely clear and open. On this issue, we need full transparency and openness around all publications.

There is a further document that I would like the cabinet secretary to produce, which is the right-of-reply response of clinicians in Dundee to the Health Improvement Scotland report. That should be provided as well.

Only when we deal with the underlying issue will we deal with the fact that we cannot meet the recruitment requirements in the specialism in Dundee. The board of NHS Tayside must step up at long last and perform its legal function in the matter to “challenge rigorously”, according to its own code of corporate governance, the executive officers who are presiding over a chronic situation that will be helped only by full openness and real honesty from all parties.

Labour colleagues asked the First Minister these questions in February 2021, which is 16 months ago. There has been more than a year of obfuscation and denial from the Scottish Government. As late as November 2021, the Deputy First Minister appeared in the chamber in complete denial, saying that to raise the issues was to do a disservice to the women of Tayside.

On 27 January, I advised the chamber—and, seemingly, the Cabinet Secretary for Health and Social Care—that further resignations from the service had been tendered. Today, I informed the chamber that there are now no breast cancer oncology specialists in Dundee. The cabinet secretary gave assurances that he

“and other ministerial colleagues have been deeply involved in the issue.”—[*Official Report*, 27 January 2022; c 5.]

I am afraid that that is becoming as much of a concern as a reassurance.

There is a fundamental breakdown of trust. Only full transparency will restore it and the services that the women of Tayside and Dundee need.

13:31

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I thank Rhoda Grant for bringing this important debate to the Parliament, and I thank members from around Scotland and across the political spectrum who have contributed. Although I might not agree with all of their points, the substantial points that have been made on recruitment and retention, staffing and workforce planning are important.

I will touch on some of the general points, but I would do a disservice to the debate if I did not touch on some of the key themes and points relating to NHS Highland that Rhoda Grant has raised. Of course, other members are correct: the issues that affect NHS Highland are not unique to the area but are often replicated in remote, rural

and island communities. Therefore, I will address some of those more general points, too.

As Rhoda Grant knows, I have been to NHS Highland on a couple of occasions in the past two weeks to open two new hospitals there. I am pleased with that Scottish Government investment. However, Ms Grant is right that, when I visited Badenoch and Strathspey and Broadford hospital in Skye, staff repeatedly raised recruitment and retention with me. She is also correct that the issue is not just about job offers—Jackie Dunbar and other colleagues touched on that point, too—but, as we know, about housing, transport links and education. Again, I will try to touch on some of those points where I can.

Workforce recruitment is key. I will touch on retention issues soon. I recognise that vacancies in particular staff cohorts are far too high. A number of colleagues raised the workforce statistics that have recently been published on nursing vacancies. They will not get a difference of opinion from me suggesting that those vacancies are acceptable, but I put on record and robustly defend the action that we are taking. We are doing our best in an extremely challenging and competitive market to recruit as many qualified nurses and midwives as we possibly can. However, overall, I am very proud of the Government’s workforce record.

Brian Whittle: Does the cabinet secretary agree that the issue is not just about recruiting current staff but about the numbers of staff in training and that, if we had had a long-term strategy five, six or seven years ago, we would not be in the situation that we are in now?

Humza Yousaf: A variety of training programmes are under way. In particular, there are training and incentivisation programmes for rural health boards that help to attract people and keep them. I will come to the point about retention in more detail.

I was about to say that we have a proud record of recruitment in the NHS. Since 2006, there has been an increase of almost 30,000 in the number of whole-time-equivalent staff in the NHS. In NHS Highland, which is an area of interest in this debate, the workforce is up by 33.6 per cent, which is higher than the average growth rate across NHS Scotland. The increase in the number of medical and dental consultants is more than 70 per cent. More recent statistics than those from December 2019—which was before the pandemic—show that the increase in the workforce in NHS Highland is 7.8 per cent.

To go back to the point that I made in response to Brian Whittle, we are doing what we can to recruit and retain, particularly in rural health board areas. That includes a golden hello payment to

GPs who are new to rural areas and, via a primary care rural fund to support established GPs, our rediscover the joy programme, which we hope to extend to other health board areas.

Rhoda Grant raised more specific challenges, and I take the point that she made about Caithness, which Alex Cole-Hamilton also made. As Rhoda Grant graciously noted, I have agreed to meet the campaigners in Caithness. I will do that this summer, and I will ensure that MSPs are invited to those discussions.

I give the absolute assurance, which I hope that members will take at face value, that the safety of mothers and their unborn children is of paramount importance to all of us. I agree that giving birth in a lay-by is not what any of us would want for our children. We would not want our own family members to be in that position.

Rhoda Grant: We all agree that giving birth in a lay-by is unsafe. I would be grateful if the cabinet secretary would commit to doing a risk assessment of journey times in emergency situations and, indeed, routine ones.

Humza Yousaf: I will certainly explore how we can do that in a meaningful way.

The point I was about to make is the one that I made in my intervention on Alex Cole-Hamilton, which is that we have to bear in mind that there was a tragic case, and a review of that said that the death was avoidable. That meant that very difficult decisions were taken in Caithness. However, I take Alex Cole-Hamilton's point that that happened a number of years ago and things should have moved on from there.

Education and training are important, and that point has been raised by almost every member who has spoken. Brian Whittle gave a very personal perspective on it. We are keen to ensure that we can train the workforce in remote, rural and island health boards where possible. That is an important endeavour for the Government.

Members across the chamber will be aware of ScotGEM—the Scottish graduate entry medicine programme—which is Scotland's first four-year graduate entry medicine programme. It is hosted by the University of St Andrews and the University of Dundee and it went from 55 students in 2018 to 70 students this year. Of particular relevance to NHS Highland is the fact that the ScotGEM programme includes periods of time living and studying in NHS Highland. I have heard from remote, rural and island health boards time and again that if we can get people to live, train or study in those places, we will have a much better chance of retaining them there.

Jackie Dunbar spoke about a more co-ordinated approach across rural health boards. Her points

were well made, and I commit to supporting NHS Grampian with its staffing and recruitment. However, I have to say, quite frankly, that at times our recruitment activity can be a bit ad hoc. I am keen to have a more co-ordinated approach, particularly across remote and rural health board areas.

Midwifery training is another key part of Rhoda Grant's motion. She is concerned about the discontinuation of the pilot at UHI. She will be aware of NHS Education for Scotland's review of that pilot and midwifery workforce education, which was published in March 2021. She can come back to me if she has any specific points to make on that. The review said that the institutions that are providing training and educational opportunities should continue to do so. That is why, in January of this year, Edinburgh Napier University welcomed students from across Scotland to undertake the new, shortened midwifery programme. Students will qualify in only 20 months, and they will continue to work in their home regions, which include northern Scotland's health boards.

I have outlined that we are exploring every possible avenue to improve health and social care by investing in those people who mean so much to us: the staff who care for us. They are the people whom we have clapped for and applauded, and that is why we will invest in them—in their pay and terms and conditions. We will also do everything that we possibly can to work with our remote and rural health boards, including NHS Highland, to see how we can support them in recruiting and retaining staff for the future.

13:40

Meeting suspended.

14:30

On resuming—

Business Motion

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is consideration of business motion S6M-04895, in the name George Adam, on behalf of the Parliamentary Bureau, on committee meeting times.

Motion moved,

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the COVID-19 Recovery Committee, can meet, if necessary, at the same time as a meeting of the Parliament between 5.00 pm and 6.00 pm on Thursday 9 June 2022.

Motion agreed to.

Portfolio Question Time

14:30

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is portfolio question time, and the portfolio is rural affairs and islands. If any member wishes to ask a supplementary question, they should press their request-to-speak button or enter the letter R in the chat function during the relevant question.

Agriculture (New Technologies)

1. **Craig Hoy (South Scotland) (Con):** To ask the Scottish Government whether it will provide an update on how it is supporting farmers to adapt to new technologies. (S6O-01198)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): The Scottish Government is clear that adoption and development of technology and innovation will be a vital component of our vision for Scottish agriculture. Central to developing solutions to the challenges facing Scottish agriculture is the Scottish Government's multimillion-pound portfolio of research on the environment, natural resources and agriculture, which launched recently. In addition, measures such as our knowledge transfer and innovation fund play a critical role in supporting new and innovative approaches in agricultural practice and I am pleased to confirm that the latest batch of scheme awards will be announced shortly.

Craig Hoy: The James Hutton Institute, along with a number of Scottish scientists and NFU Scotland, supports the United Kingdom Government's Genetic Technology (Precision Breeding) Bill, which will reach its second reading next week. The legislation will allow researchers and farmers to take advantage of crops that are more efficient and more climate friendly. However, the Scottish National Party and Green Government still insists on following outdated European Union regulations that ignore the evidence and, in so doing, dismisses Scottish scientists who stress the benefits and safety of gene editing. Why does the Government continue to ignore Scottish scientists and farmers? Why will the minister not commit to implementing the Genetic Technology (Precision Breeding) Bill in Scotland?

Lorna Slater: We are aware of the debate around new genomic techniques and how they relate to existing genetic modification legislation. In particular, we note the on-going consideration of that within the EU, our biggest international trading partner. The Scottish Government's policy is to stay aligned, where practicable, with the EU, and

we are closely monitoring the EU's position on the issue.

In response to the UK Government's invitation to join its Genetic Technology (Precision Breeding) Bill, Scotland's position has not changed.

Emma Harper (South Scotland) (SNP): George Eustice has written to the First Minister about the Scottish Government's position on the new technologies, and the Scottish Government is considering its position. However, does the minister agree that the UK Government ought to respect the bounds of devolution and recognise that this matter and how to support Scotland's farmers are matters for the Scottish Government?

Lorna Slater: Absolutely. Decisions on the Scottish environment and Scottish agriculture are matters for the Scottish Government. We want to ensure that Scotland operates at the highest environmental standards, and that we protect the strength of Scottish agriculture and food production. That will ensure that Scotland is able to protect and advance the high standards that we enjoyed as part of the EU, promote market access for our people and businesses, and ease the process of Scotland rejoining the EU in the future.

Rural Payments Schemes (Uptake)

2. Liam Kerr (North East Scotland) (Con): To ask the Scottish Government how it is ensuring uptake by farmers of rural payments schemes, including in relation to agroforestry. (S6O-01199)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): The agriculture and rural economy directorate and Scottish Forestry operate a number of schemes that are accessible to farmers and crofters across Scotland. The Scottish Government communicates with potential applicants through emails and written correspondence where appropriate, as well as wider communications through social media and the press. In addition, we offer support for potential applicants through the Scottish Government's network of local offices of the rural payments and inspections division and Scottish Forestry. We also seek partnership working through industry representative bodies such as NFU Scotland, the Scottish Crofting Federation and the Confederation of Forest Industries, to ensure that farmers, crofters and forestry industry representatives are aware of and can access the opportunity to apply for public funding and support where appropriate.

Liam Kerr: The issue is an important one, because the Soil Association Scotland has said that farmers and crofters can play a key role in helping to meet tree planting targets, and that agroforestry—which involves integrating trees with farming systems—could deliver 342,000 hectares

of new woodland and trees outwith woodland by 2050. Therefore, will the Scottish Government commit to making changes to the current forestry grant scheme to better meet the needs of farmers and crofters who want to plant more trees on their farms, and to open up new market opportunities for our timber, fruit and nuts?

Mairi Gougeon: The member raises an important issue, which will be one of the matters that we will consider when we have our consultation on the future agriculture bill. I am in regular contact with the Soil Association and am aware of its concerns, and I recently met the Woodland Trust to hear about some of the issues that the member raised.

Of course, we want to make it as easy as possible for people who want to integrate woodland and agroforestry to do so, because we know how many benefits come with that. We want to enable people to undertake such projects, where that is possible, and to make that process as easy as possible. Therefore, I will give the member's suggestion serious consideration.

Colin Smyth (South Scotland) (Lab): Given how effectively agroforestry delivers environmental benefits without distorting the vital role that agriculture plays in our food and rural economies, can the cabinet secretary tell us when we can expect the new agricultural support schemes for agroforestry to come into effect and what she estimates the value of those schemes will be? The Soil Association estimates that the support that will be needed to meet the ambition for 342,000 hectares of new woodland to be planted by 2050 could be delivered at a cost of around £100 million.

Mairi Gougeon: In relation to future support schemes, the member will, of course, be aware that we have committed to our stability and simplicity policy until 2025. As I have said, when we consult on the agriculture bill that we will introduce next year, we will take all such proposals into consideration.

I echo what Colin Smyth said about the importance of agroforestry and all the benefits that come with it. As I said in my response to Liam Kerr, we want to make the process as easy as possible for people to access.

Paul McLennan (East Lothian) (SNP): Scotland's ambitious woodland creation targets and the Scottish Government's commitment to supporting active farming and food production mean that it is likely to become necessary to identify opportunities for integrating farming with forestry. How many specific agroforestry applications have been issued by Scottish Forestry for on-farm tree planting?

Mairi Gougeon: Last year alone, Scottish Forestry approved 281 woodland creation schemes. Using its management information, it is possible to determine that 206 of those were for areas of 50 hectares or less, which means that those areas can be categorised as areas of on-farm tree planting. Since 2015, 912 applications for tree planting on areas of 20 hectares or less have been made by farmers and small landholders.

Second Home Ownership (Rural and Island Communities)

3. Mark Griffin (Central Scotland) (Lab): To ask the Scottish Government, in relation to its cross-Government co-ordination on islands policies, what discussions the rural affairs secretary has had with the social justice secretary regarding the impact on rural and island communities of second home ownership. (S6O-01200)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): The Scottish ministers continue to work closely to ensure that we take an effective cross-portfolio approach that includes the development of a remote, rural and islands housing action plan. We recognise that concentrations of second homes can affect community sustainability, wherever it occurs, and we have taken action. That includes the introduction of an additional dwelling supplement and a licensing scheme for short-term lets to regulate second homes that are used for secondary letting. We have also ensured that local authorities have powers to vary the council tax discount on second homes. The distinct housing needs of island communities are also reflected in “Housing to 2040” and the national islands plan.

Mark Griffin: In March, when I asked the Cabinet Secretary for Social Justice, Housing and Local Government whether she had considered a council tax surcharge on second homes, she said—as the Cabinet Secretary for Rural Affairs and Islands has suggested—that the additional dwelling supplement was sufficient to tackle the issue. Have both cabinet secretaries discussed the issue? In Argyll and Bute, 6 per cent of homes are second homes; in Highland, the figure is 3 per cent; and, in the Western Isles, it is 5.7 per cent. Those areas have rates of fuel poverty of around 50 per cent. By the coming winter, second home owners in those areas will have shared in a £4 million windfall from the Scottish and UK Governments related to their council tax and energy rebates, while permanent residents in those areas are really struggling.

The Deputy Presiding Officer: Could you come to a question, please?

Mark Griffin: Will the cabinet secretary commit to engaging in cross-Government working to claw back that windfall and make sure that it is distributed to people in permanent homes who need it most?

Mairi Gougeon: I am happy to commit to working across Government to do what we can for people who live in our most remote and rural areas and our island communities. The member raises an important matter, which is one of the key areas that I hear about when I am out and about and visiting island communities.

The work that we do on the development of the remote, rural and islands housing action plan will be critical to that. We must ensure that we get that engagement right by listening to communities and to island authorities as well as working across Government to ensure that we put the right solutions in place to tackle those problems.

Willie Rennie (North East Fife) (LD): The Government has pledged further action, with additional powers for local authorities, in its “Housing to 2040” plan, but there is very little detail about exactly how that will be done. Rural communities such as mine in the east neuk of Fife are afflicted by too many second homes, depriving working people of local homes that they can afford. When will the Government set out in more detail how we can control the numbers of second homes?

Mairi Gougeon: We will be engaging with stakeholders on how best to support and empower local authorities to allow them to manage the issues relating to second home ownership in their areas. That will also help to improve communities’ say in the way in which homes in their areas are used and make it easier for people to stay in their local area.

It was in order to limit the number of new-build homes becoming second homes that we increased the land and buildings transaction tax additional dwelling supplement in January 2019 from 3 to 4 per cent of the total purchase price for any additional home costing more than £40,000. I would be happy to liaise with my cabinet colleague and to come back to the member with more information about what the timescales might look like.

Emma Roddick (Highlands and Islands) (SNP): Scotland’s islands are vital contributors to our environment, society, economy, culture and heritage. Second homes clearly have a large impact on the social and economic make-up of island communities. What action is the Scottish Government taking in relation to the number of second homes that are used as short-term lets in rural and island areas?

Mairi Gougeon: Action taken to regulate short-term lets with licensing schemes and the option for local authorities to introduce control areas to manage the numbers and locations of such lets will be operational from 1 October this year. I know that Highland Council has recently consulted on designating Badenoch in Strathspey as a control area.

We consider that the legislation that we have is appropriate for the whole of Scotland, including for island and rural communities, because it offers local authorities considerable flexibility as to how that is implemented.

Food Shortages and Food Prices

4. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government what engagement it has had with the United Kingdom Government regarding the impact of food shortages and rising food prices in Scotland. (S6O-01201)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): The Scottish Government continues to hold numerous discussions with United Kingdom Government departments on a variety of topics relating to food resilience. This week, I met the Secretary of State for Food and Rural Affairs to discuss the on-going impacts on the food and drink sector.

The UK is facing a serious cost of living crisis, and the latest figures show that inflation has reached a 40-year high of 9 per cent. The UK Government holds many of the levers to address the on-going pressures, but we will continue to use all the powers that we have available to support people in Scotland.

Willie Coffey: We have heard stark warnings about food price inflation from the Bank of England, the chairman of Marks and Spencer and, recently, from the chief executive of the British Retail Consortium. Does the cabinet secretary agree with the comments of the former chief executive of Sainsbury's, Justin King, who has said of the current pressure that

"Well in excess of 40 per cent of our food comes from Europe, so it started with Brexit."

Mairi Gougeon: I agree with that. I think that many businesses, too, would agree with the member's comment.

The Scottish food and drink industry currently faces numerous challenging impacts, but the UK Government's reckless Brexit deal, which removed Scotland from the EU single market, played a huge part in that, alongside the significant loss that we have experienced from the ending of freedom of movement. The food and drink sector has really borne the brunt of the hard Brexit that has been

pursued by the UK Government, particularly through the loss of freedom of movement and free trade. We repeatedly warned the UK Government that Brexit would be damaging to business as well as to trade, and we are now seeing that through decreases in our trade with the EU, as well as through a huge increase in food prices in the UK.

The Deputy Presiding Officer: We have a supplementary question from Edward Mountain, who joins us remotely.

Edward Mountain (Highlands and Islands) (Con): I refer members to my entry in the register of members' interests. One way to prevent food shortages is to empower farmers to plan for the future—something that they cannot do at the moment as they wait until 2024 for the Government's future policy. The failure to speed things up is not good for our farmers and food producers, who have worked tirelessly, especially during the pandemic. Is the cabinet secretary prepared to meet Opposition parties as soon as possible to explain how the policy's development is progressing and to discuss whether the date for putting it into action can be brought forward?

Mairi Gougeon: I have already outlined in previous responses today the timescales that we are looking at for introducing future legislation, as well as the consultation that will take place in relation to that.

On the process that we are following at the moment, it is important to note that we are discussing our future policy, of which co-development is a critical part. The agriculture reform implementation oversight board is essential, because it is vital that, when we develop our future mechanisms for support, we do that with the people they are going to affect the most. It is critical that we go through that co-development process as we design our future policy.

Rhoda Grant (Highlands and Islands) (Lab): Food prices are rising, but the costs that farmers pay for feedstuffs and fertiliser are rising more quickly. What help can both of our Governments give farmers to ensure food security? Will the Scottish Government now implement a human right to food in order to ensure that people do not go hungry?

Mairi Gougeon: The member will, no doubt, be aware that we have had discussions on the Good Food Nation (Scotland) Bill and that the final stage of that bill is due to take place shortly. It will provide the legal framework, but we have a number of policy initiatives that are about putting in place and delivering on that right to food, which will be incorporated into Scots law in future legislation.

We are committed to doing all that we can to help our farmers and crofters in Scotland where it

is within our powers to do so. No doubt, the member will be aware of the specific issues that we have faced in the pig sector, in particular. We have extended our hardship scheme there, recognising the significant challenges that people in that sector—in fact, all farmers—face with all their input costs increasing significantly.

We continue to liaise with the UK Government to see what it can do to tackle some of the bigger issues to do with fuel, energy and other costs that are, unfortunately, not within the Scottish Government's power to tackle. I find it particularly frustrating that we see initiatives taking place in other countries and other methods being put in place to help farmers that we, unfortunately, do not see replicated here. However, we will continue to keep the pressure on and will do what we can to help Scotland's farmers and crofters.

Neospora

5. Rona Mackay (Strathkelvin and Bearsden) (SNP): To ask the Scottish Government what it is doing to help farmers to tackle the reported increasing problem of Neospora in livestock. (S6O-01202)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): The Scottish Government does not require farmers to take specific action on Neospora, as it is a non-statutory disease. However, farmers have access, via Scotland's Rural College veterinary services, to subsidised surveillance to assist with the costs of diagnosing animal health and welfare problems.

Rona Mackay: This month, I will meet a local constituent at his farm to discuss four calves that were aborted during pregnancy due to Neospora. Dogs are a primary host for the parasite, and it can take just one cow grazing on pasture that is contaminated by infected dog faeces for the entire herd to be infected. Can the minister tell me what is being done to educate members of the public that, when walking their dogs, they must pick up their dog mess, bag it and bin it to ensure that farmers' livestock remains healthy?

Mairi Gougeon: Control of Neospora is particularly difficult because, currently, no drugs are available to control the disease in cattle or to cure animals that are infected with it. However, certain management practices can be applied to try to reduce the risks. The Scottish Government has supported SRUC to make that information available to farmers as well as to vets. However, enforcement is difficult. The Dog Fouling (Scotland) Act 2003, which makes it an offence not to pick up dog faeces, unfortunately does not apply to agricultural land, including grazing land. It is therefore vital that dog owners are reminded about the importance of lifting dog faeces. The Scottish Government has worked with NFU

Scotland to publicise the importance of people picking up after their dogs on farmland as well as in urban areas, and we continue to promote that message wherever we can.

Food and Drink Sector (Impact of Brexit)

6. Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): To ask the Scottish Government what its latest assessment is of the impact of Brexit on Scotland's food and drink sector. (S6O-01203)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): The Scottish Government repeatedly warned that Brexit would be damaging. Recent trade statistics serve only to underline the negative impact of our exit from the European Union. In 2019, Scottish exports were growing consistently. We now know that Scotland's trade with the EU was 16 per cent lower in 2021, with food exports to the EU down by £68 million and imports plummeting downwards by £220 million.

The Scottish Government continues to use all available devolved powers to support the sector. However, more needs to be done by the United Kingdom Government—now—to protect our food and drink sector.

Audrey Nicoll: In the past week, local media coverage has highlighted how north-east food and drink small businesses are struggling due to Brexit, the Ukraine conflict, VAT and soaring energy costs—all of which the cabinet secretary has highlighted. Some businesses have had to make difficult decisions, such as reducing their operating hours, increasing menu prices or even removing items entirely. Will the minister give assurances that the Scottish Government will do everything that it can to press the UK Government to do more on issues such as VAT and energy costs, given that most of the problems are the result of the UK Government's own mess?

Mairi Gougeon: I am happy to give that assurance. We will continue to do everything in our power to help our food and drink sector and to press the UK Government, because the issues are urgent and more needs to be done to address them. We will keep on pressing until they are taken seriously.

The Deputy Presiding Officer: Finlay Carson has a supplementary question.

Finlay Carson (Galloway and West Dumfries) (Con): The Scottish Government has long been opposed to the cultivation of genetically modified organisms, but, clearly, it misunderstands the significant difference between genetic modification and gene editing, which it needs to recognise. We know that, rather than basing decisions on

science, the Green-Scottish National Party Government simply—

The Deputy Presiding Officer: Mr Carson, I take it that we are coming to the substance of the question that is in the *Business Bulletin*?

Finlay Carson: Yes, absolutely, Presiding Officer.

The Scottish Government's position is simply to stay aligned with the European Union, putting its constitutional obsession ahead of Scotland's food security and turning its back on world-leading crop institutions such as the James Hutton Institute and the Roslin Institute—even after the European Commission launched a review on its own rules, concluding—[*Interruption.*] Presiding Officer, I am sorry—

The Deputy Presiding Officer: I think that we can all calm down. Can we get to the supplementary question, please?

Finlay Carson: Its decision comes after the European Commission launched a review into its own rules—

The Deputy Presiding Officer: Could we get to a question, please, Mr Carson? It has been quite a long supplementary.

Finlay Carson: It is likely that the EU will change its position on gene editing. NFU Scotland and scientists back gene editing, so why does the Government not do so?

Mairi Gougeon: It is a bit rich for the Tories to talk to us about not taking food security and food production seriously.

Where is the UK Government-established task force to look at food security like the task force that we set up in Scotland to tackle the very serious and urgent issues that our food and drink sector and primary producers face? Where is the focus on food production in the English government's future policy on agriculture? They are completely absent, which is unlike our situation. We have put and kept the focus on food production because we recognise the importance of our food security in Scotland. We take such matters seriously, which is why we have undertaken the work that we have done in establishing a task force, to do everything within our power to help our producers in Scotland.

Allotments and Community Growing Projects

7. Miles Briggs (Lothian) (Con): To ask the Scottish Government, in relation to the impact on the food and drink supply chain, what discussions the rural affairs secretary has had with ministerial colleagues regarding the availability of allotments and community growing projects. (S6O-01204)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): The Scottish Government fully supports increasing the land that is available for community growing, but, given that that is aimed at growing food for personal consumption, not on a commercial basis, it has not been considered in relation to the food and drink supply chain. Although allotments and their provision are the responsibility of local authorities, since 2012 the Scottish Government has allocated more than £1.6 million to directly supporting and increasing the land that is available for community growing.

Miles Briggs: The Local Government, Housing and Planning Committee is currently undertaking an inquiry into the issue. It is clear from some of the work that we have looked at already that the local food strategies have not had the desired impact to empower communities to develop new allotments and community growing projects to levels that will help to meet demand. What steps do ministers now intend to take to help to turn that around and address the blockages in the system that prevent people from growing food locally?

Lorna Slater: As Miles Briggs knows, the Local Government, Housing and Planning Committee is undertaking an inquiry into whether the Community Empowerment (Scotland) Act 2015 has improved the availability of allotments and reduced the barriers to accessing them. The committee held the first of three evidence sessions last week, and it has heard from a range of organisations that represent allotments and food growing associations. A local food strategy consultation is under way.

Ariane Burgess (Highlands and Islands) (Green): The Inverness-based community organisation Knocknagael Ltd is awaiting the outcome of its asset transfer request to convert the Scottish Government-owned Smiddy field into a green hub with allotments, an orchard, community agriculture and space for walking and wildlife. However, the local development plan proposes a change of land use, which could allow the site to be sold for volume house building. How will the Scottish Government ensure that communities are supported to develop projects that protect agricultural soil and biodiversity, such as the Knocknagael green hub?

Lorna Slater: As is noted in the question, the land is subject to an asset transfer request. It would be inappropriate to comment on the detail of any of that while the Scottish Government is still considering the request and assessing it against the needs of the farm at Knocknagael and the operation of the crofting cattle improvement scheme. The Scottish Government has already had discussions with the Knocknagael Ltd community group with regard to the asset transfer

request and proposed land use change. That engagement will continue through the conclusion of the asset transfer request process.

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): Allotments and community growing are undoubtedly important to encourage people to get engaged with the food that they eat. Does the minister agree that, if the Tories are really so concerned about the situations that are impacting the food and drink supply chain, they might want to raise those concerns with their colleagues in Westminster?

Lorna Slater: The Scottish Government takes seriously Scotland's food security, and it will continue to use all the devolved powers that are available to support the food and drink sector. However, the United Kingdom Government holds most of the levers to tackle the crisis. We will continue to press the UK Government and urge it to do more. More needs to be done now to address those issues and to protect our food and drink sector.

Clyde Islands

8. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government what its priorities are for the Clyde islands. (S6O-01205)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): The national islands plan provides a framework for action in order to meaningfully improve outcomes for Scotland's island communities. The plan sets out 13 strategic objectives that are critical to improving the quality of life for all Scotland's island communities across all six local authority areas. The Scottish ministers are committed to delivering those improved outcomes through the national islands plan and through other initiatives, such as our programme for government commitment to support six islands on their journeys towards carbon neutrality.

Kenneth Gibson: I am delighted that one of those islands is Cumbrae.

Although Clyde islands such as Arran and Cumbrae are not far from the mainland, assistance is required to sustain their working-age populations. Can the cabinet secretary advise on the Scottish Government's support for the provision of affordable housing and other on-going efforts to attract more people of working age to live and work on Arran and Cumbrae?

Mairi Gougeon: I absolutely recognise how critical those issues are for our island communities. We have committed to delivering 110,000 affordable homes by 2032, at least 70 per cent of which will be available for social rent. Ten per cent of them will be in our remote, rural and island communities. We are also developing a remote, rural and islands housing action plan to

help to attract and retain people in those communities.

We know that housing is not the only challenge and that we have to work closely with regional, local and community partners to address some of the wider challenges that our island communities face. This year, we will progress our commitment to develop an action plan to address population decline.

Census

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a statement by Angus Robertson on Scotland's census. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

15:00

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): On 28 April, I announced to Parliament that the census collection period would be extended until the end of May to give additional time for people who needed it to complete their returns and fulfil their personal legal responsibilities.

We have now reached the end of Scotland's census 2022 collection period. I am pleased to announce that almost 2.3 million households provided a response, which means that we have achieved a national response rate of 87.9 per cent. Progress has also been made across the country, with 10 local authorities achieving return rates of more than 90 per cent, 28 authorities exceeding the 85 per cent mark and all achieving above 80 per cent.

Scotland's census 2022 was designed to be a digital-first census, in recognition that that is the most convenient, most accessible and simplest channel for the majority of people. However, even with that innovation, it was never an online-only census; paper options were available throughout to all who preferred them. That is reflected in the split of returns received, which was 89 per cent digital to 11 per cent paper.

I extend my thanks to all households who have played their part and provided a response. Their participation in this once-in-a-decade exercise is hugely important. Their responses will enable better decisions to be made about things that matter, and will help local authorities, businesses and the Government to plan a wide range of vital public services to improve the lives of people living and working in Scotland.

The purpose of the extension period was to drive up national response rates further but also to ensure high levels of returns from each local authority, and to even out variability of returns as much as possible. In context, that means that, since 1 May, which was the original date for closing the census, the national response rate has increased by 8.7 percentage points, from 79.2 per cent, with more than 200,000 additional households being enumerated during May.

The second published target was to achieve a response rate of 85 per cent or more for each local authority area. Significant progress has been achieved in that respect since the beginning of the extension period. On 1 May it had been achieved by only one local authority; it has now been achieved by 28.

I announced to Parliament that up to £9.76 million more investment might be required to deliver the extension to the census collection period during May. That additional funding will be considered during the budget revision process and will be based on the actual additional costs that have been incurred. It is currently forecast to be around £6 million, which equates to 4.3 per cent of the lifetime costs of census 2022.

During the extended collection phase, National Records of Scotland and the Scottish Government implemented a wide range of interventions to increase return rates further. A significant multichannel awareness campaign was continued, including social media, radio and television advertisements reminding people of the importance of completing their census and their legal responsibility. Key milestones were announced periodically by social and print media to increase awareness.

Continued help and support to complete the census were available via the census website and a free helpline. During the census collection extension period, more than 30,700 calls were handled by staff at the contact centre, with more than 214 language interpretations having been offered and 5,314 telephone data captures undertaken.

In addition to the more than 8.8 million letters and postcards that were issued to households, 556,828 paper questionnaires were issued. Census field staff also undertook more than 1.68 million household visits across Scotland, providing in-person support, including doorstep capture, to those who needed it. Seventy-eight per cent of non-responding households received at least one visit. That was a huge feat that was realised only through the hard work and dedication of enthusiastic individuals, which I was able to witness first hand during my own field visit in Easterhouse.

During the extension period, a number of field events took place to encourage census completion where possible, or to generate call-backs from the contact centre until the end of live collection. Those events focused on parts of the country in which there were lower response rates, and on engaging with young people and students, as well as with minority ethnic communities. Locations included faith centres, supermarkets and universities, with field staff being available to assist with census completion at each site.

I would like personally to thank the hundreds of field staff, contact centre agents and census officials who have worked tirelessly over the past few months, providing invaluable support to the people of Scotland to help to ensure that their voices were heard.

Householders also received a range of additional information through the post, including a third reminder letter, a postcard and a further reminder letter for those who had started, but not finished, their census online.

National Records of Scotland also continued to work closely with a wide range of public, private and third sector organisations and faith leaders and representatives. I would like once again to thank those organisations sincerely for their hard work and support in continually promoting the census.

Finally, I would like to thank members again for their support in promoting the census, both at the national level and locally with their constituents. I know that many of them recently took time out of their busy schedules to visit census staff during field visits.

It is clear that there was a need for the extension; unfortunately, there remains a portion of Scotland's households that have not completed the census. That is despite a large-scale public awareness campaign, millions of letters and more than 1.68 million field visits. It is important that we understand why that happened so that lessons can be learned for the future of the census.

To that end, in the last week of the census collection period, a data collection exercise was undertaken by field staff to understand the reasons for non-completion by householders. Although many reasons were offered by householders, by far the most common, at 35 per cent, was that they were "too busy." That suggests that changes in society's attitudes to the census and completing it have had a significant part to play. Once it has been evaluated, this exercise, combined with market research and global experiences, will provide valuable insight into the reasons for non-completion across Scotland.

However, the professional body that is responsible for running the census—NRS—regards the extension to the collection period as a success. It has enabled more than 200,000 additional households to complete their census and has enabled the majority of local authorities to achieve return rates that are greater than 85 per cent, with no authority's rate being below 80 per cent.

The improved national return rate and the important coverage across the country provide NRS with the confidence to conclude that it is in a good position to move on to the next element of

the census—namely, the vitally important census coverage survey—then to the statistical estimation and processing work that is required to deliver high-quality census outputs.

Based on the significant improvement that has been achieved, NRS is satisfied that it was appropriate to conclude the public awareness campaign and field force enumeration on 31 May, as announced. As happened in the censuses that were carried out in the rest of the United Kingdom and in previous censuses, over the coming weeks, NRS will accept late postal and digital returns that have been delayed for legitimate reasons.

Filling in the census is a personal legal responsibility, and allowing people who have previously refused to respond a window in which to do so is standard procedure. In line with previous censuses, anyone who has directly refused to fill in the census has now been written to and given a final opportunity to do so before NRS begins the process of referring them for potential prosecution. However, decisions regarding prosecutions remain a matter for the Crown Office and Procurator Fiscal Service.

Scotland's census, in common with other modern censuses, combines a number of elements. Following the collection phase, NRS is now focused on planned post-collection quality control and assurance work, which includes the census coverage survey, which is the second-largest social research exercise in Scotland after the census itself.

The census coverage survey launches on 13 June; the survey was also done in 2001 and 2011 in Scotland. It is a separate survey from the census, and although it covers a much smaller number of Scottish households—about 1.5 per cent, or 53,000 households—it is still the second-largest social research exercise in Scotland after the census itself. It is conducted door-to-door by staff who carry identification, and it ensures that a comprehensive and accurate picture of return rates across the country has been recorded. The census coverage survey provides important information that, along with other administrative data, enables statisticians to estimate the nature and volume of missing census returns, and to deliver the statistical database that is used to deliver outputs.

Over the coming months, statisticians within NRS will also make use of administrative data sources to improve the quality of the estimation work, thereby delivering high-quality population and characteristics data.

An international steering group of global census experts has also been established by the registrar general to help to steer the work of NRS as we move forward from the collection element of the

census. The steering group, which is chaired by Professor James Brown, has acknowledged that we are in a strong position from which to move forward. I welcome the contributions that that group will make to steering NRS's statistical and methodological work over the next few months. That will support NRS to deliver both the census coverage survey and its work to identify the appropriate administrative data that can support quality assurance work.

I am aware that, in recent weeks, much has been made of the response rate, particularly in the light of pre-census targets. I take this opportunity to reassure the people of Scotland that a return rate of 87.9 per cent is a good level of national census returns and puts us in a strong position on which to build.

In conclusion, through a combination of census returns, individual administrative data, the census coverage survey and adjustments using aggregate administrative data, NRS will be able to proceed effectively with the next phase of the census, which is to produce the high-quality outputs that are required by data users.

Finally, I say that one of the aims of Scotland's census 2022 programme is to make recommendations for future censuses. There have been many important lessons learned over the past few months, and there is much work to do to understand what has worked well and what could have been better. I am clear that the evaluation of Scotland's Census 2022 will reflect on that in order to make informed recommendations for the future.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues that were raised in his statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business. It would be helpful if members who wish to ask a question could press their request-to-speak buttons now.

Donald Cameron (Highlands and Islands) (Con): I thank the cabinet secretary for prior sight of his statement. However, nowhere in his statement was there mention of the key target figure—the minimum 94 per cent response rate, which was set by NRS. No wonder, because the actual national results are way off that rate.

I will lay out some other facts. The Scottish return rate is almost 10 per cent behind the rate in the rest of the UK. Glasgow, our most densely populated city, is a write-off at 81 per cent, which is not even near what is required, and we have had delay after delay, and an ever-increasing bill for taxpayers.

A few weeks ago, we were told that Scotland's census had "a solid foundation"—but Scotland's census lies in ruins. It is a disgrace. The Scottish National Party could have run the census in sync

with the rest of the UK last year but, as always, it had to be different. The cost of that decision is now clear for all to see.

Does the cabinet secretary accept that it is highly probable that the census could now be worthless? Does he agree with Mark Roodhouse, who is a fellow of the Economic History Society, who has said that it is likely that there will have to be an interim census or similar statistical exercise between now and 2031 in order to deal with what has happened?

Angus Robertson: I will begin by saying—because it is important to state it on the record—that it is not the Government that completes individual census returns: doing that is a matter of personal responsibility. I find it passing strange that the party that believes in personal responsibility has drawn absolutely no attention to the fact that it was the decision of people, for a variety of different reasons, not to return their census responses. That is key to understanding the issues that we have faced with the census.

Although 2.3 million households did complete the census, sadly, 316,000 households did not. That is despite 8.8 million letters and reminders—and I am not even counting the public relations campaigns that built on that. I will update Parliament, because I think that the figures are quite enlightening, in order that members better understand the challenge among the parts of the community that did not take part in the census.

Towards the end of May, the census field force asked just over 1,200 people, who had not returned a census form, what their main reasons were for not completing it. There was a wide range of reasons. The headline responses were as follows: 35 per cent of those who were asked stated that their being too busy was the reason, or one of the reasons; 17 per cent stated that they were not aware of the census; and 14 per cent stated that they did not realise that they had to complete it. Concerns about privacy, trust in Government, the nature of the questions and access to a paper copy all came out at 5 per cent or less.

Yes, there are lessons to be learned, but I totally and utterly repudiate Donald Cameron's assertions about writing off anything in the census. They are false, ill informed, misleading and, frankly, beneath him, because he should know that census experts say that it has "a solid foundation" on which to build.

Sadly, only one Conservative Party MSP could be bothered to turn out for an NRS visit to see how the census was actually being conducted, but I hope that, in time, they will learn from what happened during the census. We all have lessons to learn, but the slightly pathetic party politics that

we have heard from the front bench of the Conservative Party add little to the understanding of what has worked well in the census and what needs to be learned from it.

Sarah Boyack (Lothian) (Lab): I thank the cabinet secretary for advance notice of his statement.

In 2020, the then Cabinet Secretary for Economy, Fair Work and Culture said that

“the decision to move Scotland’s Census to 2022”

was

“the only option in which there is confidence of producing high quality outputs”

to

deliver the benefits required by the people of Scotland.” — [Written Answers, 13 August 2020; S5W-31002.]

NRS were clear at the time that a response rate of at least 90 per cent was critical to achieving the delivery of high-quality census returns. The cabinet secretary now says not to worry, because the delayed and underperforming census will be sorted through sampling 53,000 members of the public. That is a subset, so how will it reflect the different challenges in different local communities? Will it not be less reliable and less accurate? How will the diversity of Scotland’s population be represented?

I agree with the cabinet secretary that we need to understand what went wrong, but how can we have any confidence in this Government’s promise to learn lessons from this census? There were challenges in and lessons from the 2011 census that needed to be addressed, such as around programme management, data collection, field operation, output content production and dissemination. What went wrong this time? With hard-working staff, I visited residents of a tower block where, just two weeks ago, there was a 57 per cent return rate. How will their needs be met? How many people on low incomes across Scotland, who thought that they had returned the census through digital means, should now be worried about being fined £1,000? Given the cost of living crisis, we need to know the answers to those questions.

Angus Robertson: I thank Sarah Boyack for her questions on the statement and the many positive points that she made. I also thank her personally for being the only Labour member who went out with the NRS to see how the census was being conducted.

In terms of having confidence, if she is not prepared to listen to what the NRS has to say about things, I point her in the direction of the international steering group, which is made up of experts on the census. For those who are

unaware of who is on the group, I can say that it is chaired by Professor James Brown, the Australian Bureau of Statistics professor of official statistics at the University of Technology Sydney. He is joined by Professor Sir Ian Diamond, the UK’s national statistician, and Professor David Martin, professor of geography at the University of Southampton and deputy director of the UK Data Service. I could go on, because it includes other colleagues who are eminent in their field of conducting censuses.

I am confident that the exercise that is starting on the 13th of this month will add tremendous value to the work that took place in the census collection period. I know that Sarah Boyack—and others in the chamber who are members of the committee that oversees my portfolio area—will be speaking to the NRS and I am sure that they will be speaking to some of those experts. I hope that Sarah Boyack gets the reassurance that I believe that I have had from the NRS and other experts. Yes, there are lessons that need to be learned, and, yes, we need to make sure that all of Scotland’s communities are reflected in the census data at the end of the process.

That is absolutely mission critical. Yes, we did not reach the 94 per cent target that the NRS wished us to reach—we have got to within 6 points of that target—but that does not call into question the returns of the census. To those who wish to amplify the messages from certain corners of the media—which, sadly, do not understand how censuses are conducted in the 21st century—I say that there are lessons to be learned, but that overexaggeration will not help us to reach the conclusions that we need to reach at the end of every census.

The Deputy Presiding Officer: Before I call the next member, I ask for greater brevity in the questions and the answers. I have allowed some latitude for the front-bench speakers, but if we continue in that way, we will not get in everybody who would like to ask a question.

Clare Adamson (Motherwell and Wishaw) (SNP): In his statement, the cabinet secretary outlined that the census is not complete, and that a lot of administrative and validation work still needs to be done. Can the cabinet secretary give us an indication of the timescale in which the NRS will be able to answer some of the questions around this year’s census, with a view to informing the learning points that have been identified?

Angus Robertson: The NRS plans to start publishing results from the census approximately a year after collection, in 2023. Results will be laid before Parliament and made available in a clear and usable form for all users.

Sharon Dowey (South Scotland) (Con): Age Scotland chief executive Brian Sloan said that the Scottish Government should “shine a light” on elderly people who risk missing the census deadline. Within three days, elderly pensioners will face criminal records and hefty fines if they are unaware of the census or are unable to complete the form.

What work is the Scottish Government doing specifically to identify older people who might miss the deadline, and will the 12 June date be the final one, even if it means handing out fines and criminal records to vulnerable pensioners?

Angus Robertson: I say very gently that the member clearly does not understand the process by which the NRS moves on to the next stage of working out who has not returned a census. Prosecution and the involvement of the Crown Office and Procurator Fiscal Service impact those who have expressly refused to take part in the census, not those who were unaware of it—there is an important distinction between the two, and it is important that everybody in the chamber understands that.

I can assure the member about the lengths that the NRS has gone to. We do not have time for me to go through the amount of correspondence that has been issued to people and that specifically targets certain parts of the community, including the aged, because the point that the member made is correct. It is mission critical to get the results from that part of the Scottish community. The NRS has been extremely focused on that, as have the enumerators, and I am clear that the returns that they have been getting will be adequately capturing that important part of Scottish society.

John Mason (Glasgow Shettleston) (SNP): I met enumerators in my constituency and heard about some of the challenges that they face, not least with translation. One enumerator spent several hours with one household because of language issues. Will such experiences feed into the work done by the NRS and the international steering group in the future?

Angus Robertson: Absolutely. I think that I have updated members on how many translation services were offered in the extension period, in addition to the earlier period of the census, across a wide range of languages. If there is any evidence that there is still work to be done in communities for which English is a second language, we absolutely need to learn about that.

I look forward to the work that will be undertaken by the steering group, and if there is anything that can be done to ensure that people fully understand the process in future censuses, that is absolutely a lesson that needs to be learned.

Martin Whitfield (South Scotland) (Lab): The cabinet secretary talked about the personal responsibility for completing the census, which is correct. However, the figures that he gave us were that 35 per cent of people were too busy to complete the census, 17 per cent said that they were not aware of it, and 14 per cent did not realise that there was a requirement to do it. Who is responsible for the 31 per cent who did not know about it or did not realise that they were responsible?

Angus Robertson: That is one of the most searching questions that we have had this afternoon. It goes to the heart of trying to understand why there has been a group of particularly hard-to-reach households and individuals during the census.

I am asking myself that question. There were households that received a multitude of correspondence in a variety of formats, and houses that were visited not just once but in many cases twice, three times, four times or five times, and still a significant percentage of people were saying, “I didn’t know it was happening”.

To my mind, that is absolutely the lesson that needs to be learned, because my fear is that that phenomenon is not a one-off. I think that those of us who knock on doors, as we do at election time, will understand some of the phenomenon that I have been trying to describe, but it is something that the international steering group, the Scottish Parliament and the committee will want to look at very closely. If we can get an answer to that challenge, I think that we will be able to see the same kind of percentage returns as in previous censuses.

Having said that, I think that there is a particular challenge with a part of Scottish society. Incidentally, I do not think that this phenomenon is just in Scottish society but will be seen elsewhere. All of us will have to try to work out whether traditional means are meeting the needs of people who do not understand, realise or, perhaps, want to realise that they need to take part in the census.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): In my drop-in surgeries in Tesco, I often find elderly people who do not use or have access to the internet or have a mobile phone. Many of them live alone, with perhaps no one to assist them in completing a paper form. What was identified as a factor in non-completion when those non-returning households were visited? What recommendations will fall from that?

Angus Robertson: One thing that happened during the extended period of the census is that hundreds of thousands of paper copies of the census were sent to hard-to-reach households

that had not returned a census online. That was in addition to the paper copies that were sent to those who had rung up and used the service to order them.

To answer Christine Grahame's question, there were a variety of ways of trying to make sure that gaps could be plugged, if one wanted to assume that issues with digital access were prohibiting people from taking part. Measures were undertaken to try to make sure that people had alternatives. Those included providing paper copies, as well as enumerators turning up at people's doors and offering to help fill out the forms on paper or online. Great efforts were undertaken, particularly in the extended period of the census, and especially in parts of certain local authority areas and parts of the country where there were much lower returns. Great efforts were made to try to make sure that people could take part in the way that was most appropriate for them.

Stephen Kerr (Central Scotland) (Con): On a point of order, Presiding Officer. Given the level of interest and the challenges of time, would you be willing to accept a motion without notice, under standing order 8.14.3, to extend the time for this item of business?

The Deputy Presiding Officer: I thank the member for his point of order. I remind him that Parliament has already had an opportunity to consider that matter—it did so on Tuesday, when it chose, in a vote, not to extend the time for this business item.

Willie Rennie (North East Fife) (LD): I am not sure that the minister should be making a virtue of spending only an additional £6 million on the survey and census extension. That is still a huge sum of money that he should not be wasting.

The minister has talked more in his answers about the reasons why we are in this position than he did in his statement. He talked about the data collection exercise that is being conducted. Would he be prepared to publish that data collection exercise so that we can see at an earlier stage what went wrong and learn the lessons for the future now?

Angus Robertson: I appeal for Willie Rennie to wait for the international steering group to do its work and for parliamentary colleagues on the portfolio committee who will be looking at it to do theirs. If he then has further questions, I am quite happy to entertain any requests for further information that he does not think is in the public realm at the appropriate point. I am sure that the NRS will publish all relevant documentation and data.

I go back to the initial point that Willie Rennie made. Forgive me, I cannot remember whether

the Liberal Democrats supported or opposed the extension. *[Interruption.]* I believe that the Liberal Democrats did not support the extension, which is disappointing because it took 4.3 per cent of additional cost to secure a result that will mean that the census is built on "solid foundations", to quote the census experts, and I would have thought that we would all have welcomed that.

The Deputy Presiding Officer: Willie Coffey is joining us remotely.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Although the cabinet secretary has made it clear that paper copies of the census forms could be requested, I believe that the field force staff continued to recommend online submission during those doorstep reminder visits. Could the cabinet secretary explain why there was still the emphasis on online submission during the collection period and why no paper forms were issued directly as part of those reminder visits?

The Deputy Presiding Officer: Cabinet secretary, I hope that you got that.

Angus Robertson: I did. Just to correct the record, it is not the case, which may be some reassurance to Willie Coffey, that people were only being directed to online returns; they were not. Paper copies were made available by enumerators throughout the country. If that is indeed what people wanted to use to make their return, that is what was made available to them, as was the ability to make a data capture of their return together with enumerators at the doorstep, if that is something that they wanted to undertake. Either the help of the enumerator or a paper copy is what was available to people on the doorsteps of Scotland during the extension period.

Ross Greer (West Scotland) (Green): I understand that further detailed analysis will be undertaken, but are there any initial indications of any demographic trends within the 12 per cent of households that have not completed the census? For example, is there a risk that we have disproportionately undercounted particular faith groups, ethnicities or socioeconomic groups?

Angus Robertson: Those are exactly the questions that will be looked at by the international expert panel. Those are the questions that we will all want to know the answers to, not least the NRS. However, we are still in the phase where we have just finished the census collect period, and although participation is not being publicised people are still sending in returns. We will then move on to the next stage of the process, so we will have to wait a short while—I hope that it will not be too long—before we can understand the answers to the questions that Ross Greer is asking, which are, frankly, exactly the right questions.

Stephen Kerr: I fear that Angus Robertson is doing something that I would not normally associate with him, in that in his statement he is insulting the intelligence of many of us here and the people of Scotland. He has actually blamed the people of Scotland for what is a catastrophic failure of the census. In what universe is 87.9 per cent a result to be pleased about? This is genuinely a disaster for all of us. It is another fine mess that the SNP has gotten us into. The target was 94 per cent, not 85 per cent, and the rest of the United Kingdom in 2021 got 97 per cent. The root cause of this is the SNP obsession with divergence and it has cost the people of Scotland in excess of £150 million. Does the cabinet secretary recognise that the Scottish Government has a communications problem, because despite an army of 174 communications managers or spin doctors in the Scottish Government, it has a problem with communicating with the public? What is he going to do about that?

Angus Robertson: It is interesting that we got to question at the end of that speech. *[Interruption.]*

The Deputy Presiding Officer: Excuse me—could we have less chat across the benches? If the member wishes to stand up and make a point of order then obviously he knows that he can do that. Otherwise, let us move on to get the answer to his question.

Angus Robertson: Do I believe that the census was adequately communicated in Scotland? Yes, I do. Why do I think that? I did not have time earlier, so perhaps I will take the opportunity to go through this now. These are the lists—these are all the core publications that were sent to households across Scotland in the multiples of millions. Is the member suggesting that people did not receive the letters? Is the member suggesting that they were not visited by enumerators? Is the member suggesting that people did not call and encourage participation? Is he suggesting that the National Records of Scotland did not participate in events the length and breadth of Scotland to encourage people to take part?

If that is the case, the member does not understand the heart of the challenge about the difference between the return rate at the end of the extension period and the 94 per cent target that the NRS wished to achieve. If he is going to continue down that lane, he will not learn the lessons of why a disjunction took place around people receiving the letters—because they did receive letters, postcards and encouragement to take part—but then not taking part. The question why they did not take part is at the heart of the challenge that we will need to meet in future censuses.

Given that the member represents a party that thinks that personal responsibility is an important part of the equation, he, again, has failed to even address that—

The Deputy Presiding Officer: Thank you, cabinet secretary. I wish to get in Rona Mackay, who is the last MSP who wishes to ask a question.

Rona Mackay (Strathkelvin and Bearsden) (SNP): It is clear that the census field force staff made a huge effort to maximise census returns in the lead up to the deadline. Does the cabinet secretary hold any data at this stage on the effectiveness of that door-to-door method in increasing understanding of the census and boosting the return rate?

Angus Robertson: I fear that I do not have time to go into the list of local authorities in order to share with colleagues the difference that the method made during the census extension period, which was most marked in areas that previously had the lowest return rate. It was an extremely effective intervention to get the return rates up.

However, in many parts of the country, notwithstanding multiple visits to households by enumerators, a significant number of householders did not take part in the census. That is at the heart of the lesson that we need to learn from the census to build on the solid foundations that we know we have had, because independent census experts have told us so.

The Deputy Presiding Officer: That concludes the statement. There will be a short pause before we move to the next item of business to allow front-bench teams to change positions should they so wish.

Covid-19 Inquiry

The Presiding Officer (Alison Johnstone):

The next item of business is a statement by John Swinney on the Scottish Covid-19 inquiry. The cabinet secretary will take questions at the end of the statement, so there should be no interventions or interruptions.

15:37

The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney):

In this statement, I will update Parliament about the establishment of the Scottish Covid-19 inquiry. In particular, I will announce amendments to the inquiry's terms of reference.

Covid-19 has led to significant loss of life, resulting in heartache to all those who have lost loved ones. I begin this statement by repeating my condolences to the bereaved. I also repeat my conviction that the Covid-19 inquiry in Scotland should help to provide the answers for which those individuals search.

In its 2021 manifesto, the Government set out a commitment to establish a statutory public inquiry into the handling of the pandemic in Scotland. In fulfilling that commitment, the Government took time to meaningfully and openly engage with the public on draft aims and principles for the Scottish inquiry. That process involved inviting written submissions, meeting many stakeholders and having an online conversation. I met several stakeholders during that engagement phase, including bereaved families and equality and human rights groups. That work was the subject of a published analysis report and directly shaped the development of the inquiry's terms of reference.

On 14 December 2021, I announced to Parliament the establishment of the Scottish Covid-19 inquiry and the appointment of the honourable Lady Poole to be its chair.

Since my statement to Parliament, the inquiry has been in an establishment phase, which has involved the inquiry recruiting to build its team and putting in place the systems and infrastructure that are necessary for it to carry out its investigatory functions. I am pleased to note from the inquiry's recent public announcement that significant progress has been made.

There has been keen public interest in the progress of the inquiry. Ministers must be mindful at all times that operational matters in relation to the inquiry are for the chair, but I am pleased to note that the inquiry launched its website—covid19inquiry.scot—two weeks ago. The website is a useful source of information on how the

inquiry team will carry out its investigations and how it intends to handle the information that it obtains, and it includes a section where the latest progress and developments will be detailed.

On the inquiry's work to gather information and evidence, I confirm that the Scottish Government has already been responding to requests from the inquiry about information that the Government holds that is relevant to the inquiry's terms of reference.

The inquiry operates independently of Government, which is key to its integrity, and within the legal regime under which it has been established—the Inquiries Act 2005. The 2005 act sets out a clear framework for the functioning of the inquiry and, critically, it gives the inquiry powers to compel the production of documents and evidence and to call witnesses.

The 2005 act requires that ministers set the terms of reference for any public inquiry that they establish. In my December statement, I therefore announced the terms of reference, setting out 12 strategic elements of the handling of the pandemic in Scotland.

In recent remarks, Lady Poole summarised the approach that the inquiry is taking to the terms of reference. She stated:

"The Terms of Reference do not attempt to present a definitive list of every issue or every person that the inquiry will consider. Instead, they specify areas of investigation, and the Inquiry will interpret them with flexibility to ensure particular groups or themes are not excluded. Human rights and equalities are important to the Inquiry and will be taken into account throughout its work."

Throughout the development by the Scottish Government of the terms of reference, it has been very important to ensure that no groups or themes were being excluded from the inquiry's remit.

The terms of reference have been generally well received since they were announced in December. However, as I made clear then, I agreed with Lady Poole that she would reflect on the terms of reference and, should she wish to, suggest amendments. That period of reflection was designed to ensure that Lady Poole had maximum flexibility in designing her independent investigations and to ensure that the terms of reference were clear in accomplishing the purpose of the inquiry.

Additionally, the Government has taken careful note of representations made to it about the terms of reference and has discussed those with Lady Poole. As a result, and after consultation with Lady Poole, I am making three amendments, which clarify the terms of reference. First, we have decided to expressly include social care and the experiences of unpaid carers in the terms of reference.

Covid-19 has had a profound impact on the Scottish health and social care sector. I am aware that there are a number of important and legitimate questions relating to social care throughout the pandemic that people want answered. Social care was always intended to be within scope for the inquiry to investigate, but I appreciate that that has not been clear enough. Therefore, we are now clarifying the terms of reference to put beyond any doubt that the inquiry can examine the functioning of any aspect of our social care system. To that end, paragraph 2(h) of the terms of reference, as amended, will now task the inquiry

“To investigate the strategic elements of the handling of the pandemic relating to ... the provision of healthcare services and social care support, including the management and support of staff and the recognition, involvement and support of unpaid carers”.

On behalf of the Government, I pay tribute to everyone in our social care system who has worked tirelessly to deliver vital support during the pandemic and who continues to work to recover from the effects of the pandemic. That includes the distinct and invaluable role of unpaid carers.

The second change to the terms of reference has been called for by a number of organisations and is a clarification that I consider to be important to reassure stakeholders of the significance that we place on these matters. It builds on the statement in paragraph 6(b) of the terms of reference that, in the inquiry’s investigations, the chair is specifically asked to consider the impacts of the

“handling of the pandemic on the exercise of”

rights under the European convention on human rights. In its published statements, the inquiry has made it clear that, when it is considering findings about lessons learned, it will look at adverse effects on the exercise of human rights and equality issues, where relevant. In Lady Poole, the inquiry has a chair with direct and robust knowledge of and expertise in human rights and equalities.

We are now taking a further step, and are expressly highlighting the consideration of disparities in the terms of reference, which encompasses unequal impacts on people. Paragraph 6 of the terms of reference now includes the statement that

“the inquiry will, as the chair deems appropriate and necessary, consider any disparities in the strategic elements of handling of the pandemic, including unequal impacts on people.”

That clarification to the terms of reference reinforces the inquiry’s public statements on the importance of examining equality and other disparities as part of its assessment of each of the

strategic elements of the handling of the pandemic.

The third amendment involves a clarification of the wording in terms of investigation of the decision to impose lockdown and other restrictions. As we all know, the imposition of lockdown and other restrictions had manifold impacts on all areas of our society. We wish to clarify the terms of reference to ensure that the impacts of the restrictions, including for those implementing them as well as those subject to them, are within the scope of the inquiry. Therefore, our amended paragraph 2(b) will task the inquiry

“to investigate the strategic elements of the handling of the pandemic related to the decisions to lockdown and to apply other restrictions and the impact of those restrictions.”

The full text of the terms of reference as adjusted will be available on the Scottish Government website.

Before concluding, I would like to inform the Parliament that, in all this activity, we have taken into account the remit of the United Kingdom-wide public inquiry into Covid-19 that the UK Government is setting up. Under the 2005 act, the Scottish Government is also a consultee on the UK inquiry draft terms of reference. I am pleased to note that the points that we raised with the UK Government have been adopted into the revised draft UK terms of reference that were consulted on by Baroness Hallett in April.

Following representations made to me by bodies such as Refugees for Justice, which we raised with the Prime Minister, I am particularly pleased to note the inclusion of immigration and asylum in the UK draft terms of reference. Legally, a Scottish public inquiry cannot examine reserved matters in Scotland. I am therefore pleased that vital issues that were identified during the pandemic, such as, for example, the Home Office’s treatment of asylum seekers in accommodation, can be scrutinised by an independent public inquiry.

We remain committed to working with the UK Government on the UK-wide inquiry and expect liaison between the inquiries, as indicated in the Scottish and UK inquiry terms of reference.

The Scottish Covid-19 inquiry has said that it will carry out a fair, open and thorough investigation to establish what lessons should be learned from the strategic response to the pandemic. That is no less than what is needed and I hope that the terms of reference amendments further equip the inquiry to achieve that objective.

I again pledge the Scottish Government’s full engagement to support Lady Poole, as I know that this Parliament and the people of Scotland will, in this vital task.

The Presiding Officer: The cabinet secretary will now take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions, after which we will move to the next item of business.

Sandesh Gulhane (Glasgow) (Con): I welcome the statement on the inquiry into the handling of the Covid-19 pandemic, and I thank the Scottish Government for keeping to its commitment, unlike in Wales, where the Labour Government is refusing to carry out a similar inquiry.

National health service and social care staff played a vital and enduring role during the Covid-19 pandemic and, along with my colleagues, I reiterate my thanks for their efforts and continued resilience as we begin to rebuild from the pandemic. The inquiry in no way looks to undermine the valuable work that NHS and social care staff did during those dark days.

I echo the importance of finding answers about the handling of the pandemic, when so many of us were touched by the loss of loved ones. The scope and scale of the inquiry mean that it is probably the largest ever conducted and, although Lady Poole has the autonomy to make her own decisions, has the Scottish Government asked for indicative reporting milestones, because the public will want to know the timescales?

Scottish inquiries are notoriously slow to get started—the Edinburgh tram inquiry is now in its eighth year. That could be because of a lack of infrastructure, including not having an initial building, website or information technology infrastructure. What support will the Scottish Government give Lady Poole for the fundamentals to get the inquiry off the ground?

Finally, is there a mechanism in place that will allow Lady Poole to request additional resources if, in due course, she requires them?

John Swinney: If Dr Gulhane will forgive me, and with due respect to the fact that the Labour Party does not like me to talk about Wales, I will not talk about Wales.

On the substantive issues that Dr Gulhane has raised with me, I associate myself with all that he said about the contribution of health and social care staff during the pandemic.

While all of us appreciate and value everything that was done, the purpose of the inquiry is to learn lessons. If that involves us having to explore and examine what was done well and what could have been done better, that is what we will do, because that is the purpose of the inquiry and we should be open to such scrutiny.

On the practical issues that Dr Gulhane raised to do with reporting timescales and resources,

accommodation and support for the inquiry, those are all operational matters for Lady Poole. It would be inappropriate of me to specify reporting timescales, other than to say that I have made it clear to Lady Poole that the Government is anxious to hear the conclusions of her inquiry at the earliest possible opportunity. We must respect her independence and the approach that she intends to take to pursue the terms of reference and to report accordingly.

I point out that different approaches to reporting have been taken in the range of inquiries that we have established. With some inquiries, the decision has been taken to report at the conclusion of their proceedings but, with others, such as the Scottish child abuse inquiry, reports on case studies have been provided on an interim basis. It is for Lady Poole to decide on the most appropriate reporting structures. Indeed, it is an essential part of her independence that she is able to do so.

Jackie Baillie (Dumbarton) (Lab): I echo John Swinney's comments and send my condolences to all those people who have lost loved ones during the pandemic.

I very much welcome the inclusion in the terms of reference of social care and unpaid carers, which many people have called for. Social care has undoubtedly shared the burden of the pandemic, as have unpaid carers, who, in caring for relatives and loved ones without much support, are unsung heroes.

I met Lady Poole yesterday, and I very much welcome the approach that she is taking. In particular, I welcome her providing an opportunity for people to share their experience in a listening exercise as the first stage of the inquiry. I am encouraged that Lady Poole recognises the importance of ensuring that the voices of everyone who has been affected are heard.

I note that the inquiry has the power to compel witnesses and to compel the provision of information, and that is the point that I want to focus on. Unfortunately, the Scottish Government has form here. It is not known for its openness and transparency. Indeed, it is one thing to withhold information from a parliamentary committee, but to withhold it from the Court of Session is quite another.

Therefore, can the Deputy First Minister guarantee to the Parliament and—much more important—to all those families who have lost loved ones that every piece of information that Lady Poole requires to do her job will be provided?

John Swinney: I am pleased—but not surprised—to hear that Jackie Baillie had a constructive meeting with Lady Poole, and I very much welcome her reflection that what she took

from that conversation is the importance that Lady Poole attaches to hearing the voices of people who have been affected. That was the feeling that I got in my conversations with Lady Poole. I hope that the mechanisms that she is developing to enable that to be the case will help to assist with the process of healing, of which the inquiry must be part.

Jackie Baillie asked about the supply of information. The Government will comply fully with all requests for information from Lady Poole and the inquiry. We have started to do that already—we have had some requests, to which we have responded, and more requests will come in. We will reply to the fullest extent that we can.

John Mason (Glasgow Shettleston) (SNP): As the Deputy First Minister said, we all want to learn lessons about the future from the inquiry. Can he say anything about how such lessons will be incorporated into future policy making so that we are well prepared for future pandemics?

John Swinney: We will have to wait for the conclusions that come from Lady Poole's inquiry but, once that material is available, the Government is committed to considering and assessing it, building it into our Covid recovery strategy and looking at other approaches that we can take, especially in the resilience planning space. We want to ensure that, if there are steps that it is recommended that we take in order to be equipped to deal with any future pandemics, we can assess those recommendations thoroughly and properly and apply them where it is appropriate for us to do so.

Murdo Fraser (Mid Scotland and Fife) (Con): The Scottish public will not expect silence from the inquiry during its long investigation. Regular updates, communications and perhaps even interim reports will be required, as has been the case with other public inquiries and as the cabinet secretary has just acknowledged.

Given that that will be the case, will the Scottish Government be given early access to, or sign-off on, any such updates, communications or interim reports? Will the Scottish Government be able to redact any material or evidence released by the inquiry or any of the evidence that it will itself provide to Lady Poole during the course of her investigations?

John Swinney: There are a number of complex issues in there and I may have to follow up my answer with the letter to give Mr Fraser absolute clarity. I can say that there will be no question of the Government signing off Lady Poole's report and that it would be completely inappropriate for that to be the case. Whatever report is produced by the inquiry will be the work and conclusions of

Lady Poole, and the Government will have no prior sign-off on the detail of that.

On the issue of redaction, certain legal and general data protection regulation issues may have to be considered. We will, of course, explain that to Lady Poole in the submission of evidence to her. For example, I can envisage a situation in which certain advice might be offered openly and in its full form to Lady Poole by the Government, but in which we might say to her that there might be legal or GDPR considerations regarding referring to or publishing that advice.

I will reflect on the response that I have given to Mr Fraser and, if I need to write to him to set that out in more detail or more specifically, I will do so. I think that that is the fairest way to respond to his question.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): What will be the practical consequences of having a human rights-based approach to the inquiry, and how will that approach ensure that the voices of bereaved families are meaningfully heard?

John Swinney: The human rights-based approach is important to the inquiry, because the voices and experiences of individuals, and the impact that the pandemic has had on them, will be at the heart of the inquiry's reflections.

In the amendments that I have made today to the terms of reference, and particularly in paragraph 6(c), there is very explicit wording about the necessity to

"consider any disparities in the strategic elements of handling of the pandemic, including unequal impacts on people."

That is the manifestation of the human rights foundation of the inquiry.

We are fortunate that, in Lady Poole, we have an internationally renowned advocate on human rights and equalities issues who brings enormous experience to the inquiry. The changes that I have made to the terms of reference provide an opportunity to fulfil that. As I said in my response to Jackie Baillie, I know that Lady Poole is constructing an approach whereby she and the inquiry can hear the experiences of individuals as part of the evidence-gathering process.

Alex Rowley (Mid Scotland and Fife) (Lab): I very much welcome what the Deputy First Minister has said today. Like Jackie Baillie, I will home in on what has been said about social care.

The most profound impact of the pandemic was the one on care homes, where the greatest grief, hardship and heartache were felt. Does the Deputy First Minister agree that families must get answers and be able to understand what

happened and what the pressures were on staff and families? That is not in order to seek blame, but to understand, so that that can never happen again.

John Swinney: I felt that I made adequate provision in the original draft of the inquiry to address the issues that Mr Rowley raises. It is interesting to reflect that what one puts into a particular draft may not be what other people read from it. That is an important reflection.

At paragraph 2(g) of the inquiry terms of reference, there is explicit mention of “care and nursing homes”. I felt that that was adequate to address the issues that Mr Rowley has raised with me, but the feedback from individuals and groups was that we needed to be more explicit about social care. That is why additional terminology has been added on social care in paragraph 2(h), to ensure that the points that Mr Rowley properly raises with me are fully considered by the inquiry and there is no dubiety about that in the public mind.

Finally, I return to and reinforce a point that I made in my response to Jackie Baillie. I very much agree with Mr Rowley on this point. This is not about blaming people who were doing their best; it is about trying to help us to understand what could have been done better, and it is also about helping a process of healing for individuals who are experiencing grief and loss as a consequence of what they experienced. I hope that the inquiry can help in that endeavour.

Stuart McMillan (Greenock and Inverclyde) (SNP): My understanding is that the Scottish inquiry into the handling of the pandemic can look only into devolved matters in relation to Scotland. Is the Scottish Government confident that that will allow an accurate representation of the handling of the pandemic in Scotland, given the interplay of reserved and devolved issues?

John Swinney: To give a full answer to Mr McMillan’s question, I would have to say that the conclusions of both the Scottish and UK inquiries will give—we hope—a complete picture, because there will be issues that the Scottish inquiry is prevented from looking at because of the terms of the Inquiries Act 2005. Having said that, on the issues that we have raised with the United Kingdom Government as ones that we have been keen to see referenced in the UK terms of reference, there has been a positive response from Baroness Hallett. I very much welcome that.

I think that the best way for me to answer Mr McMillan’s point is to acknowledge that, although I am very confident that the Scottish inquiry will be able to undertake a comprehensive assessment of the decision making in Scotland, to an extent, the UK inquiry will provide input to the oversight of

decision making in a United Kingdom context, which inevitably had an impact on some of the handling in Scotland.

Alex Cole-Hamilton (Edinburgh Western) (LD): I was very gratified to meet Lady Poole yesterday, and I think that we can all have justifiable confidence in her ability to perform this work. The listening exercise that she is about to embark on will provide catharsis for many of the 15,000 families who are grieving lost loved ones and the many more families of care home residents, but there will be so many stories in that listening exercise that only a tiny fraction will make it into her overall report. I ask the Deputy First Minister what consideration his Government might give to creating something like a national book of remembrance for those stories that cannot be captured in Lady Poole’s final report, which might give those families that ultimate closure.

John Swinney: I think that there is a lot of merit in exploring the point that Mr Cole-Hamilton has put to me. Discussion is being undertaken about the appropriate commemoration of the suffering in the pandemic. Indeed, just a couple of weeks ago, I attended the inauguration of a memorial in Pollok park in Glasgow, which is a beautifully designed set of wooden memorial sculptures. It has been drawn together at the instigation of the *Herald* newspaper. Alec Finlay, who is the artist behind the venture, gave a compelling account of its development. That is welcome, and it is a place where some healing can be undertaken by people.

However, I think that Mr Cole-Hamilton’s point is somewhat different, because it concerns having a national reference point where the suffering of individuals can be recorded. I will consider the point that he has raised. I think that it is a valuable suggestion. The Government is interested—and we hope that the inquiry will be part of this process—in assisting individuals in our country who are suffering to find some form of reconciliation through this process.

Collette Stevenson (East Kilbride) (SNP): It is important to remember that, as a public inquiry, the Covid inquiry will proceed independently of Government. However, does the Deputy First Minister agree that it is vital to ensure that organisations and members of the public have every opportunity to have their say, and will he set out the steps that the Scottish Government has taken to facilitate that?

John Swinney: I agree very much with Collette Stevenson’s point. When it comes to the Government’s support, our part is to make sure that the terms of reference enable the inquiry to fulfil our expectations. I expect this to be my last word on the terms of reference; thereafter, they move over to Lady Poole, so that she can pursue the inquiry.

The Government will provide the resources that are required to support the inquiry and its full collaboration, as I indicated to Jackie Baillie. It will be up to the inquiry to conduct its proceedings.

As a number of colleagues have put on record, it is crucial that members of the public are able to express their contributions to the inquiry, and I know that Lady Poole is keen to receive those.

Gillian Mackay (Central Scotland) (Green): I welcome the decision to specifically include disparities in how the handling of the pandemic impacted on certain groups, as it has been well documented that Covid-19 has not affected everyone equally. Given the public interest in any outcomes of the Scottish inquiry, how will the Scottish Government ensure that its conclusions—including interim conclusions, if appropriate—are in accessible formats, in order to provide to all families who have lost someone the answers that they deserve?

John Swinney: That is an operational question for Lady Poole in her inquiry. However, because of her perspective and experience, and the foundations of her professional reputation in all such areas, I am confident that all the issues that Gillian Mackay has put will be fully taken into account in how the inquiry communicates its work to the wider public.

Tess White (North East Scotland) (Con): We all agree, I think, that the additions to the inquiry's scope that were announced today are welcome.

The Law Society of Scotland suggested that consideration should also be given to Covid-19 in prisons and legal custody, in order to learn lessons for the future. Will the Deputy First Minister indicate whether that, along with the early release of prisoners as a result of the pandemic, will fall within the remit of the inquiry?

John Swinney: The best way to answer that question is to refer to the quote from Lady Poole that I read out:

"The Terms of Reference do not attempt to present a definitive list of every issue or every person that the inquiry will consider. Instead, they specify areas of investigation, and the Inquiry will interpret them with flexibility to ensure particular groups or themes are not excluded."

I encourage members to reflect that the inquiry's terms of reference have been written to be broad but that they should not be looked at as a checklist. The fact that a particular term is not in them does not mean that it is off limits to the inquiry. I hope that that reassures Tess White that the intention behind the writing of the terms of reference has been to keep the inquiry as broad as possible.

Jackie Dunbar (Aberdeen Donside) (SNP): I appreciate that the inquiry will operate entirely

independently and that it would therefore not be appropriate for the Deputy First Minister to give a timeframe for the report of its findings. However, is he in a position to inform the Parliament whether there will be any updates in the interim?

John Swinney: That will be for Lady Poole to determine. We aired some of those issues at the COVID-19 Recovery Committee this morning. It is important that, at the earliest possible opportunity, there is an identification of lessons learned, so that we can assess those issues as we plan our future approaches, given the fact that, although we would love to avoid such a situation, we cannot rule out another pandemic.

The Presiding Officer: That concludes the ministerial statement on the Covid-19 inquiry. There will be a brief pause before the next item of business.

Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill: Stage 3

The Deputy Presiding Officer (Liam McArthur): The next item of business is a stage 3 debate on motion S6M-04818, in the name of George Adam, on the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill.

The Presiding Officer is required under the standing orders to decide whether any provision of the bill relates to a protected subject matter—that is, whether it would modify the electoral system and franchise for Scottish parliamentary elections. In the Presiding Officer's view, no provision of the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3.

16:11

The Minister for Parliamentary Business (George Adam): As the Minister for Parliamentary Business, I will probably use the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill as an example to colleagues of how to manage a bill through the Parliament. There were no amendments at stage 2, everything has been done with consensus, and there have been no amendments at stage 3. I welcome the conveners of both committees that I have worked with, as we have managed to find consensus, which is often lacking in the chamber. It is good that I am the person who is bringing consensus to the chamber. As we all know, I am all about consensus in general.

Martin Whitfield (South Scotland) (Lab): Will the minister take an intervention?

The Deputy Presiding Officer: It never lasts.

Martin Whitfield: We will see whether it will.

Does the minister concur that, among the reasons for the straightforward nature of the process were the preparation that was done, the investigation that was undertaken in the committees and, indeed, the minister's undertakings, given in evidence to the committees, to resolve some outstanding matters?

George Adam: I agree with Martin Whitfield. In the spirit of the debate, it is all about ensuring that we all feel that we have delivered something in the bill by working together to ensure that it works.

I notice that Martin Whitfield is wearing ReTweed's bow tie in the Spirit of Ukraine tartan. ReTweed is a women's social enterprise. We are

not starting a new fashion trend; we were given those earlier today.

More seriously, the bill seeks to make a small but important change in relation to the law governing those who can stand as candidates in our local government elections. Before I turn to discussion of the bill, I put on record my appreciation of all those involved in the successful running of last month's local government elections. The Electoral Commission and others are still taking stock of how the election went, but it is clear that, for the second time since the pandemic started, a major nationwide poll has been held safely and securely. I thank all those involved.

The election on 5 May was also the second national election held since changes were made in 2020 to extend voting and candidacy rights in Scottish devolved elections to foreign nationals. Voting rights were extended to virtually all persons aged 16 or over living in Scotland who either have leave to remain in the United Kingdom or who do not require such leave. The Parliament did not go quite as far in relation to candidacy rights. Foreign nationals with indefinite leave to remain in the UK were given the right to stand in Scottish Parliament and local government elections, and the new law made it clear that European Union nationals with settled status or pre-settled status could stand as MSPs or councillors, despite Brexit. However, foreign nationals with limited leave to remain—for example, the right to remain in the UK for a 30-month period—were not given the right to stand as candidates in Scottish devolved elections.

The bill is therefore needed to fully implement the four treaties that the UK Government has agreed with Luxembourg, Poland, Portugal and Spain in relation to voting and candidacy rights in local government elections. By agreeing those treaties, the UK Government has opened the door to allowing people with limited leave to remain to stand as candidates. As a result of the bill that we are debating, nationals of Portugal, Luxembourg, Spain and Poland will be able to stand for election as a councillor in Scotland, even if they have only limited leave to remain, and even if that leave is set to expire during their term of office.

The new Elections Act 2022 makes corresponding provision for other parts of the UK. However, the Scottish Government has ambitions to go further in that area. I am currently considering topics for a consultation on electoral reform to be held later in the year. My intention is for the consultation to examine issues surrounding a wider expansion of candidacy rights—for example, to 16 and 17-year-olds—and to explore what would be involved in an extension to other foreign nationals who have limited leave to remain.

That will implement the shared policy programme undertaking to

“promote legislation on electoral reform that enables more people to stand as candidates at Scottish Parliament and local government elections”.

I am pleased by the extent of the cross-party support for the bill’s proposals. No amendments were lodged at either stage 2 or stage 3. Both the Standards, Procedures and Public Appointments Committee and the Delegated Powers and Law Reform Committee called for further consideration on only one issue, which was the process for removing a country from the list of countries by virtue of which candidacy rights are provided under the bill. Both committees highlighted that the bill appeared to give the Scottish ministers discretion on whether to remove a country from the list when an agreed candidacy rights treaty comes to an end. It is not the Government’s intention to create a broad power in that area, and I have made clear my view that ministers would not be able to use the power conferred by the bill as a means of extending candidacy rights unilaterally should a treaty be cancelled.

I also explained that the level of discretion provided by the bill was necessary to afford flexibility in the event of a candidacy rights treaty being suspended rather than cancelled. Accordingly, the bill ensures that the Scottish ministers will have the same discretion as UK ministers have to deal with any suspension of candidacy rights in the most effective way possible.

I hope that that explanation has reassured members, and I remain grateful to both committees for their consideration of the bill.

The bill is required in order to implement treaties agreed by the UK Government. Although its scope is limited, it is an important part of our continuing conversation on candidacy rights and the question of who should be empowered to stand in our elections. I commend the bill to the Parliament and encourage all members to engage in the Government’s consultation on electoral reform when it is launched.

I move,

That the Parliament agrees that the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill be passed.

The Deputy Presiding Officer: I call Stephen Kerr, for around six minutes.

16:17

Stephen Kerr (Central Scotland) (Con): I congratulate the minister on piloting this important piece of legislation through the Parliament in such a smooth way. I put it on the record that even

though he and I have regular differences in our points of view, I am always grateful for the good humour with which he approaches the tasks that the Parliament presents before him.

I will make a very short speech. I am sure that that will come as a relief to you, Presiding Officer, my own colleagues and indeed the minister. *[Laughter.]* There has been an outbreak of consensus, of which I am the central focus. I am overwhelmed that that is how my colleagues feel.

I wish to say something in connection with this important piece of legislation. I am, of course, delighted that the UK is forging treaty relationships with the countries to which the minister referred. I hope that there will be many more such treaties, because that is an important part of the role that the United Kingdom plays in the wider world. The citizens of the wider world play an important part in the life of our country, both in Scotland and in the United Kingdom.

During the stage 1 debate I raised issues about the importance of councillors’ powers and the need to protect them from an overbearing Standards Commission for Scotland. I was a little surprised that my comments, which were probably not without controversy, were not picked up by anyone. I repeat them now just in case someone wishes to refer to them at a later date.

I would also like to mention the importance of helping and supporting people to become candidates for election, including the citizens who will be impacted by the bill and others. It is important that we facilitate that so that people—our friends and neighbours and others in our communities, including those who are from other countries—feel that they can stand for election. It is incumbent on us, who enjoy the privilege of elected office, particularly in this place, to make that possible.

We all know that being a candidate can sometimes be quite a lonely thing to do. Frankly, it can be understood only by those who have done it and who have lived experience. The fact is that in our politics in Scotland, as soon as someone puts their head above the parapet, they can sometimes become a target. I think that that is a shame. The example that we are probably showing a little of this afternoon in the chamber should be the example that we try to shine a brighter light on for the rest of the country: that is, that we can disagree with each other quite strongly—and I do not think that I can be absolved from responsibility for disagreeing strongly—but it is important that we learn how to do that without being personally disagreeable.

Just last night, I was on “Debate Night” on the BBC. We had a very civil debate among the audience and with the panellists. However, on

opening my Twitter account this morning, I realised that mentioning that I have children and grandchildren who live in England has meant that people have responded by saying, “Well, why don’t you go off to England and live in England?”. That kind of unnecessary personal abuse—and that is low-level abuse compared with some of the stuff that people can read on my Twitter account—does not have a place in our politics and I hope that all of us in the chamber can readily agree on that.

We need to treat each other with civility; we need to avoid personal invective; and we need to support and respect each other. That can happen here and it can happen in the broader community of those who are engaged in the political life of our country. That way, we will get more and better people coming forward for election. I do not think that it does politics any service if we are seen to be personally bitter and abusive towards one another. I would hate to think that we would eventually limit the pool of those who stand for political office to a very small group of hardened party stalwarts. That would certainly not be good for Scotland or for our politics.

Sometimes, I think that politicians can create a persona that they intend to maybe intimidate or maybe scare the opposition. I do not think that we need to do that on a personal level. I think that the battle of ideas that is politics is a rich place to spend one’s life and energy in and I hope that that in itself gives us sufficient reason to want to be engaged.

We need good people to stand; we should not be doing anything to put people off. I say again—I feel that it bears repetition—that we do not want to limit the pool of people who will stand as candidates for any of our parties to the desperate and the obsessive. We want people who are living their lives and feel that they can make a contribution from wherever they come in society, to feel that being involved in politics and putting themselves forward to be a candidate is a good thing to do. There are many sensitive and complex issues that we need to deal with as politicians.

I recognise that I am probably running out of time and no one will intervene so that you can give me more time, Presiding Officer, and I know that we are up against the clock.

There are many things that we could say about the importance of candidates and the importance of people serving in their communities—particularly as local councillors. We touched on that the last time that we met. Therefore, I support the bill and I want to see people encouraged by our example to become involved in politics as candidates. I am delighted to have played a very small part in supporting the minister to bring the bill safely and smoothly through the processes of

this Parliament, so that we can build a country and a political system that exemplify the civility, the patience, the kindness and the good humour that have been on exhibition in the chamber this afternoon.

The Deputy Presiding Officer: Thank you very much indeed, Mr Kerr. I note that, in embracing the consensus, you perhaps strayed a little from the substance of the bill and that your short speech exceeded your time allocation by exactly 30 seconds, but nevertheless, you embraced the spirit of the debate.

16:24

Neil Bibby (West Scotland) (Lab): I welcome the opportunity to speak on the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill.

It is a non-contentious bill, to which, unusually, no amendments have been lodged at either stage 2 or stage 3, as the minister said. The whole Parliament is behind this small but important measure to ensure compliance with treaties in relation to candidacy rights. It is limited to extending local government candidacy rights to any nationals of Portugal, Luxembourg, Spain or Poland who have a limited form of leave to remain in the UK. It is important to stress that only a small number of people are affected, as EU nationals who have settled and pre-settled status already have candidacy rights in our elections.

There is another side to the matter that we should not forget: the treaties give similar rights to UK citizens who live in Portugal, Luxembourg, Poland and Spain. Given the disastrous loss of rights that has been inflicted on UK citizens since the UK left the EU, it is a small comfort that the ability to participate in the democratic process in those four countries will be afforded to UK citizens who live there. It is a small symbol of continuing links between those countries and the United Kingdom.

Although there have been some concerns about the bill, the minister has largely addressed them, as Martin Whitfield said. However, I hope that the question of any additional financial burdens on councils will not be forgotten, particularly as the Scottish Government has announced substantial cuts to council budgets.

In my speech during the stage 1 debate, I praised the contribution to Scottish society of people who were born in other countries. It is important to keep repeating that, particularly when we read of racist incidents, which, although small in number, are nonetheless abhorrent and unacceptable.

I pay tribute to people who come to this country and want to enhance our communities. For a tiny few, that might mean taking the opportunity to stand for election when the law permits them to do so. The vast majority of the welcome new members of our society will contribute by working in essential jobs, volunteering in local communities, building friendships and helping to broaden understanding between people of different cultures. I am sure that there are numerous examples of the contributions that have been made by people who have come from Spain, Portugal, Luxembourg and Poland, and I extend my heartfelt thanks to them.

I make special mention of the contribution that is made to life in Scotland by the substantial Polish community that is now resident here. People who have come from Poland have become essential to our service industries; Polish tradespeople have made their mark on our building services industry; Polish worshippers have boosted the congregations in many of our churches; and Polish-speaking children have enhanced many of our schools. Shops selling Polish goods are now a common feature in many of our towns. In my West Scotland region, there are many examples of the contribution that is being made by people who were born in Poland. I am sure that the minister will join me in recognising the contribution of the Polish community in Renfrewshire, in particular.

It is only right that, as well as praising people who have come from Poland, Portugal, Spain and Luxembourg for their contribution to Scottish society, we use the treaties as a way of extending their rights to participate more fully in the democratic process of Scotland, if that is what they wish to do. The bill will take the necessary steps to plug small gaps, and I commend it to the Parliament.

The Deputy Presiding Officer: We now move to the open debate.

16:27

Bob Doris (Glasgow Maryhill and Springburn) (SNP): In many respects, the bill has been a fait accompli since it was drafted, and I welcome it. Put simply, the UK Government has signed treaties with Portugal, Luxembourg, Spain and Poland that offer reciprocal candidacy rights to nationals who are resident in each other's countries.

Our Scottish Parliament needed to take steps to ensure that our legislative framework took account of the provisions in those international treaties, or the UK Government would have legislated directly on those matters. Either way, it was a fait accompli. Some might say—although not me, given the consensus that has been reached in the

debate—that that is a good indicator that power that has been devolved by the UK Government is power that it has retained to use when it suits it. I say to Mr Kerr that he should not worry. I am not going to talk about the United Kingdom Internal Market Act 2020, which is a power grab, or the Brexit freedoms bill, which is another power grab. Instead, I will talk about the happy instance of the absolute policy alignment between the Parliament, the Scottish Government and the provisions within said UK treaties.

The bill will ensure that those reciprocal rights can be exercised in Scotland at council elections, as they should be. We all support that. People from EU countries who have indefinite leave to remain or pre-settled status already have such rights, and the number of people who are impacted is likely to be small.

Of course, I take the view that all people who have made their home in Scotland should have the opportunity to both vote in and stand for elections that take place in Scotland. In effect, I wish that this afternoon we were confirming the rights that are outlined in the bill on a consistent basis across the EU's 27 countries and nations. Why should someone from Spain, Portugal, Italy or any other EU country have varying rights when it comes to living, working, standing for election or voting in elections?

The Scottish Government has a strong track record of seeking to maximise the democratic rights of all those who have made their home in this country. Parliament passed the Scottish Elections (Franchise and Representation) Act 2020, section 1 of which extended the franchise to include those with the legal right to live in Scotland, including refugees, as the minister mentioned. However, only those with indefinite leave to remain can have candidacy rights. We must return to that and address it.

Martin Whitfield: Does the member agree that, although outside the strict ambit of the bill, one of the challenges that we found related to the availability of accurate data on how many people would be affected by various aspects of legislation that has been passed here and at Westminster?

Bob Doris: As convener of our committee, which led on the bill, Mr Whitfield is absolutely right that we found getting robust data in that regard a challenge. We will have to return to that matter in due course.

As I said in the stage 1 debate, more generally, the Scottish Government's consultations and legislation on electoral reform have enabled more people to stand as candidates in the Scottish Parliament and local government elections.

The minister, George Adam, will not be particularly enamoured by this proposal. In relation

to wider election rules, we perhaps have to look again at the alphabetisation bias, where candidates with names that begin with A rather than Z are more likely to succeed in local council elections. I see that the minister is delighted by my suggestion. There are opportunities to look at not just candidacy rights but how we run those elections.

I look forward to the bill becoming an act this afternoon. I finish by responding to something that Mr Bibby said, because the bill is also about making sure that we send a clear message to all those who have built their lives in Scotland and contributed to our society. You are welcome, and we want you here. You have backed our society, so we want to back you with your basic human right to be involved in the democratic process in Scotland—not just to live and work here but to vote and to stand for election. In some small way, the bill does that.

16:32

Alex Rowley (Mid Scotland and Fife) (Lab): I am grateful for the opportunity to speak in this debate on behalf of Labour. As Neil Bibby and Bob Doris said, if passed, the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill will ensure that nationals from Luxembourg, Poland, Portugal and Spain can stand as candidates in local government elections in Scotland. The UK Government has already agreed those terms with the countries that I mentioned through treaties that, in a mutual way, allow nationals of our respective countries to stand as candidates in elections, and the bill puts those treaties into law.

Furthermore, the bill will allow Scottish ministers to add additional countries to the list, in the event that those countries enter into treaties with the UK, and to remove countries from the list if they are no longer party to a treaty with the UK.

Labour supports the bill, which extends candidacy rights to nationals of any country that signs a treaty with the UK and ensures compliance with UK Government treaties that have already been established. There is little opposition to the bill, because it largely serves to enshrine in law what has already been agreed by treaty.

The bill does not appear to create any additional management burdens for local government elections. Indeed, in its written submission to the Standards, Procedures and Public Appointments Committee on 22 February this year, the Electoral Management Board for Scotland stated:

“In submitting nomination papers at a local government election in Scotland the candidate must satisfy themselves that they are qualified to stand, taking their own legal advice if necessary. Candidates must sign a declaration that they are qualified to stand. The Returning Officer will

not seek any further evidence in support of that declaration. Practically therefore this Bill adds no further duties to the work of the Returning Officer in the operation of the local elections.”

However, although the bill might not add additional burdens to the management of local government elections, there are minor issues with it that should be highlighted before its implementation.

One issue is the increased risk of local authorities having to conduct by-elections in instances in which a sitting councillor's immigration status changes. Although there is only a small potential risk in that regard, it is important that it is considered, because local authorities must be aware of the potential for a situation to arise in which they would be required to fund an unexpected by-election due to the election of an individual with limited leave to remain in the country. Therefore, Labour called on the Scottish Government to ensure that local authorities are clearly made aware of the potential need, no matter how small the risk, for additional funding to cover those election costs. We are content with the cabinet secretary's commitment to work with local government to avoid such issues.

A further issue was raised by the Delegated Powers and Law Reform Committee, which pointed out that a future Government may not consider itself

“bound to remove a country”

as a result of a treaty change, and that Scottish ministers might

“exercise discretion in relation to the timing of removing a country from the list.”

To answer that concern, Labour supported the Delegated Powers and Law Reform Committee's call for the Scottish Government to lodge an amendment to address the issue and remove any elements of discretion from such decisions. I note that a Government amendment on the issue was not forthcoming. Despite that outstanding issue, Scottish Labour supports the proposal that is set out in the bill.

16:36

Mark Ruskell (Mid Scotland and Fife) (Green): I recently spoke on the doorstep with several hundred people in Stirling in the run-up to the council elections. I met people who had come to Scotland to study, as well as people who had now finished studies but had decided to remain to seek work. I met people who had come to Scotland to escape persecution and had been granted refugee status, and people who were still in limbo while seeking asylum. I also met people who had come to Scotland to set up businesses.

When I asked them, the majority of those people had views on many of the local issues that were the subject of debate, from bin collections to the state of housing. Some of them were so engaged on the issues that I would have happily voted for them if they had been standing to be one of my councillors. However, sadly, a large number of those people still believed that they could not vote, let alone stand in elections, and many were not even registered.

The Scottish Elections (Franchise and Representation) Act 2020 addressed a long-standing democratic deficit whereby thousands of people who had made Scotland their home were unable to vote or stand in elections. However, we are still some distance away from realising that truly residence-based franchise whereby everyone who lives here has the right to vote and stand in Scottish elections and understands their rights.

We also still have the imbalance on age: 16 and 17-year-olds can vote, but they cannot stand for election—although I met a number of young people on the doorstep whom I would have been happy to vote for as well.

The Greens supported the 2020 act but, at the time, I asked the Scottish Government to go further on both voting and candidacy rights, to ensure that people living in Scotland were not prevented from participating in our democracy due to restrictive immigration conditions that had been placed on them by the UK Government. I lodged amendments, and despite some sympathy from across the chamber and from the Government, we were unable to make the changes at that time. Therefore, as it stands, here in Scotland, a person can vote if they have a temporary form of leave to remain, but they cannot stand as a candidate. That falls short of the parity that we want to see in Scotland's electoral franchise.

The bill goes some way towards fixing the disparity. The legislation will grant expanded candidacy rights to some nationals, but only based on treaties that are agreed by the UK Government with individual states. It is ironic that the expansion of candidacy rights is being triggered by a UK Government that is hellbent on further constricting electoral rights for others by introducing mandatory voter identification and removing the automatic right to voting and candidacy rights that EU nationals enjoyed before Brexit.

Stephen Kerr: Will the member take an intervention?

Mark Ruskell: I will if I can get time back.

The Deputy Presiding Officer: You certainly can.

Stephen Kerr: Does Mark Ruskell feel that it is important that there is reciprocation of these voting

rights? We have obligations to our citizens who live in other countries to ensure that they also have the privileges that, I agree, we would like the people who he is mentioning in his speech to have in our country.

Mark Ruskell: I think that the best way to ensure reciprocation would be for us to rejoin the European Union as a fully fledged, independent member state, but we will leave that for another year.

When I lodged amendments to the Scottish Elections (Franchise and Representation) Bill to expand voting and candidacy rights, the Government said that there were concerns. However, now more than ever, we need to take down those barriers. Electoral registration is not a real barrier, as people with limited leave to remain are probably the most heavily verified persons living in the country. It is also clear from the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill that it is possible to extend candidacy rights to people with limited leave to remain. Put simply, if we are going to improve candidacy rights for some people, why not improve them for all?

I look forward to the Government's consultation—it was great to hear the minister announce that today—on expanding rights for all those people whom I met on the doorstep, some of whom I wanted to be able to vote for, so that they not only can vote but potentially stand for election in Scotland. If we continue this process of reform, we will have a better democracy and be a better nation as a result.

The Deputy Presiding Officer: Willie Coffey, who is the final speaker in the open debate, joins us remotely.

16:41

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Having listened to Stephen Kerr, I was a bit alarmed that I might be speaking in the wrong debate. In the spirit of fairness and generosity, I will say that his comments, although mostly nothing to do with the bill, are very welcome nonetheless.

When the bill came to the chamber at stage 1 on 28 March, we recognised that, although it was pretty short, it provided an important route to participation in the democratic process for people from Luxembourg, Poland, Portugal and Spain, as set out in the treaty processes that had been entered into by the UK Government. The bill enables those people to put themselves forward to be local councillors in Scotland, and I still support it, despite the fact that it emerged as a reaction to what is a piecemeal and odd process of extending such democratic rights.

Citizens from other parts of Europe and beyond are still waiting for treaties to be entered into that can allow them to be afforded the same sort of democratic rights—rights that they previously held but were removed by Brexit. At least the bill embraces to a degree the direction of travel that we spoke about last time, in that it widens the goal of democratic engagement in Scotland. That direction of travel is supported by the Scottish Government.

It is worth restating that, under the previous conditions that applied, the right to be a candidate depended on whether the person had indefinite leave to remain in the UK or pre-settled status. If the bill is passed, it will enable people from the countries mentioned who do not have settled or pre-settled status to become candidates, if they wish. That is in line with the agreements in the treaty arrangements. Confirming the rights of those people to be local councillors representing their communities will certainly be welcome, but I say again that this is hardly a satisfactory route to bring about something that existed before Brexit.

The last time that we debated the bill, I mentioned a couple of possible issues that would need to be clarified. I think that my colleague Alex Rowley mentioned one or two of them. What happens if a person becomes a councillor and their immigration status changes? Would that automatically mean that a democratically elected councillor was legally no longer a councillor and there would have to be a by-election? I know that that is fairly unlikely to occur, but the possibility requires some clarification. Similarly, what happens if a treaty comes to an end? Would that legally end a person's right to legally remain being a councillor, and cause a by-election? Those are very unlikely events, but I imagine that provision would need to be made for such circumstances. I would be obliged to the minister if he would clarify those points.

The very short bill will give effect to the intention and purpose behind the UK Government's—*[Inaudible.]*—agreements when they come into force. I hope that our Parliament will re-establish normal arrangements for democratic participation in the not-too-distant future and will not have to play second fiddle to treaties being entered into by other jurisdictions in order to gain what other people—*[Inaudible.]*—have by rights.

The Standards, Procedures and Public Appointments Committee and the Delegated Powers and Law Reform Committee have done a good job for us in considering the bill and have posed a number of questions that may arise as a result of changing circumstances. In moving forward, my hope is that the bill can be amended to extend candidacy rights to all foreign nationals

living in and making a valued contribution to Scotland. That will be consulted on later this year.

Let us support the bill at its final stage, thank the committees for their work and look forward to this very short but important bill becoming law in Scotland and affording certain citizens the right to become councillors—a right that all of us have enjoyed for many years.

The Deputy Presiding Officer: We move to closing speeches.

16:46

Mark Griffin (Central Scotland) (Lab): As my colleague Neil Bibby confirmed, we will support the bill, and we are keen to extend candidacy rights to nationals of any country with which the UK signs a treaty for mutual candidacy rights at local elections who have any type of leave to remain.

Local decisions are clearly enriched when real experiences, different ideas and voices from across the local community are involved, and strong voices are occasionally needed not just to stand up for the community but to stand up to central Government. I am pleased that we can ensure compliance with treaties agreed with Portugal, Poland, Spain and Luxembourg, affording people from those countries, and ours, mutual candidacy rights.

Yes, the legislation is a consequence of the UK leaving the EU—a matter that was raised by a number of colleagues in this debate and the stage 1 debate—but it is a necessary and simple piece of legislation. It establishes the rights of people to stand, but it does not set the conditions to maximise the breadth of candidates that we might want to see come forward.

Bob Doris: I absolutely agree about entrenching those rights, but Mr Ruskell and I both suggested in our speeches that those rights should exist irrespective of whether the UK secures a treaty with a European Union country. Someone who is living in, working in and committed to Scotland should have those rights along with their neighbours, irrespective of which European Union country they hail from originally.

Mark Griffin: Absolutely—we agree with that. I was simply responding to the bill and the treaties that we have in front of us today. The principle that Bob Doris elaborated—

Stephen Kerr: Will the member give way?

Mark Griffin: Certainly

Stephen Kerr: What I am surprised to hear is that Mark Griffin and the Labour Party do not seem to be in favour of reciprocation. What about our fellow British citizens who are living in

countries where they may not enjoy those rights? Surely we have an obligation to help them to have the same privileges as those that we are happily giving to the citizens of those countries who are in Scotland.

Mark Griffin: That is what I have said already in my speech. This is about the reciprocal nature of the treaties. It is just as much about enabling people from those countries to be candidates as it is about giving citizens from here the right to stand elsewhere. Perhaps I did not elaborate fully in my answer to Mr Doris. I would expect that that right would be afforded to citizens from our country in other countries, where we were giving their nationals the right to stand here.

Stephen Kerr: Will the member give way?

Mark Griffin: I am happy to take another intervention if I have time, Presiding Officer.

The Deputy Presiding Officer: Briefly, Mr Kerr.

Stephen Kerr: I am grateful for the clarification, but the point was not obvious from the reply that Mark Griffin gave to Bob Doris.

Mark Griffin: As I was saying, although this piece of legislation establishes the rights of people to stand, it does not set the conditions to maximise the breadth of candidates that we would perhaps like to see representing our local communities. Just a month ago, a new generation of enthusiastic councillors was elected to office to improve their communities and help their neighbours, addressing issues from social care to children's education, housing and economic development, but also the bread and butter of local roads, cleanliness and bin collections.

Those councillors will now do everything they can to make changes and decisions on services that affect people's daily lives. That is not without its challenges, as Stephen Kerr said in his opening speech. The people who were elected a month ago will have faced abuse and harassment; will take on more than a full-time job, with long hours and very little pay; and will have to work with a local government workforce that is very demoralised at the moment. Those challenges look set to grow, which puts at risk our opportunity to have the best pool of candidates in future elections.

I said at stage 1 in March that the candidates who go on to be elected will be forced into taking decisions that mean scaling back and cutting services while they struggle to keep up with local demand. Millions have been ring fenced beyond those locally elected candidates' control, and since 2013, £918 million in real terms has been slashed from council budgets.

When budget after budget cuts local services, taking those decisions is a constant task that

grinds down local candidates and local democracy. Do we think that that job would be attractive to people from Spain, Poland, Portugal and Luxembourg who have made Scotland their home? I am not so sure, because that is not what people go into local government to do.

I am pleased that we can widen the candidacy rights today, and we support the bill. However, Parliament has a wider job of considering the best conditions that we can have for the best pool of candidates in 2027.

16:51

Tess White (North East Scotland) (Con): It is not often that the chamber is in agreement, especially when a bill has been introduced at an expedited pace. I am pleased to say that there is consensus today in support of the bill and that there are no changes at the amending stages. That means that there is less to say in our speeches, but I will persevere, albeit less colourfully than my colleague Stephen Kerr.

The legislation completes its parliamentary passage after the local elections in May, when we were reminded of the importance of local democracy and of what an immense privilege it is to represent communities across Scotland.

The bill is required because the UK Government has agreed four treaties with Luxembourg, Poland, Portugal and Spain for reciprocal voting and candidacy arrangements in local government elections. Although Scotland's law on voting rights already complies with the treaties, further legislation is needed to comply on candidacy rights. As such, the bill is necessary and welcome. The Scottish Conservatives would, of course, welcome similar agreements that the UK Government makes with other countries, as we have said.

I note from the policy memorandum that it would have been possible for the bill to go further, for example by extending candidacy rights to all foreign nationals with limited leave to remain. However, the decision was taken to limit the bill's scope. Given the expedited timeframe of the bill to allow ratification of the treaties with Poland and Spain, that was the right decision.

One point that emerged during the scrutiny of the bill by both the DPLR Committee and the SPPA Committee was in relation to Scottish ministers' functions when a candidacy rights treaty ceases to apply. Specifically, there was some debate as to whether the Scottish ministers should have a power or a duty to remove a country from schedule 6A in the event of a suspension of treaty rights. That was largely because it is difficult to anticipate the intentions of future Governments and, as parliamentarians, we must be mindful of

future-proofing legislation when we can. I understand that, after consulting counterparts in the UK Government, the verdict was that it would be preferable to maintain consistency between the Scottish and the UK bill provisions.

As always, the devil is in the detail, and I am grateful to both committees for their commitment to scrutiny when legislative timelines are very tight. That is how it should be.

Martin Whitfield: I thank Tess White for giving way, which allows me to thank her for the period of time that she spent on the SPPA Committee.

Does Tess White agree that the expedited timetable for the bill, the clear discussions that took place between committees and Government, and the undertakings that were sought and offered allowed the process to pass much more reasonably than might otherwise have been the case?

Tess White: I agree. The way in which processes were conducted by the committees and the minister has been a model. I thank Martin Whitfield for that and for his thanks for my contribution at committee.

Scottish electoral law has been amended quite recently with the Scottish Elections (Franchise and Representation) Act 2020, which extended the franchise to prisoners with sentences of less than 12 months—a move that I and my party opposed.

The Scottish National Party-Green Government has signalled in the shared policy programme that it again intends to consult on a wider expansion of candidacy rights, alongside other electoral reform proposals. The Scottish Conservatives will carefully consider any future proposals.

During the stage 1 debate, the minister was receptive to ideas that members might have in relation to electoral reform in Scotland. I hope that that spirit of co-operation will continue as the Scottish Parliament looks again at electoral reform in the coming months.

16:56

George Adam: I thank members for their contributions to the debate. We have all agreed on this small and tightly focused bill, which has been perfect in getting the bill through the process. I remind members that, although the bill is tightly focused on candidacy rights in relation to international treaties, we should not lose sight of the fact that our law on voting rights is already one of the most generous in the world. However, as we have said today, we can still do better.

The issue of who can stand in elections is a fundamental part of democracy. I look forward to further debate over the course of the year on a

wider expansion of candidacy rights, among other electoral reform issues.

I turn to points that were raised during the debate. Willie Coffey asked what would happen if a councillor's leave to remain expired. The Home Office is currently considering that. It is expected that a successful candidate would still have to meet the other conditions of their leave to remain, including participation in a job and other things that are tied to their leave to remain. If a councillor's leave to remain were to expire during their term of office and they were unable to extend it or switch to a different form of leave, the person would cease to be a councillor and a by-election would be called. On by-elections, which many members have mentioned, the Electoral Management Board for Scotland estimated the cost of a local government by-election at £50,000. Because of the limited number of people who might be in that predicament, that would not be burdensome for councils.

On the impact of a treaty coming to an end, the bill ensures that there will be no difficulty in avoiding an adverse impact on a serving councillor or an on-going election at the time of a treaty's being cancelled. The bill enables the Scottish ministers to make in regulations transitional arrangements removing candidacy rights that are conferred as a right through the bill. Alex Rowley talked about what would happen for local government if there was such an issue.

I want to talk about some of the numbers. The exact population figures are not available, but Office for National Statistics data suggests that there might be around 62,000 Polish, 14,000 Portuguese, 11,000 Spanish and 3,000 Luxembourg nationals resident in Scotland. Most of those people are likely to have settled or pre-settled status, which means that they can stand as candidates, so no significant costs in that respect are expected as a direct result of the bill, if it is passed.

Another issue that came up in the debate is what else we have planned for the future, and many members—including Mark Ruskell and Bob Doris—set out some of their ideas. The programme for government set out an undertaking to prepare legislation to enable more people to stand as candidates in Scottish Parliament and local government elections, and to improve accessibility in elections, with a particular focus on improving accessibility for people with sight loss.

The programme for government also sets out an aspiration to increase voter registration and active participation in elections by underrepresented groups, including non-UK citizens and young people.

I expect the consultation to address a number of issues, including campaign finance and intimidation and harassment, which were raised by the UK Elections Act 2022.

If Mr Doris is still struggling with his ABCs, he can engage with the process that we are having over the summer period.

Bob Doris: Will the minister give way?

George Adam: Yes. I had an idea that this might happen.

Bob Doris: It is not that I have trouble with my ABCs. I just think that the system will disadvantage the XYZs at local government elections, under the single transferable vote. Is the minister open to change, so that that bias is eliminated?

George Adam: Mr Doris will probably find that, as someone whose surname is Adam, I have some skin in the game. [*Laughter.*] My councillor sister would probably say the same.

As I said to Mr Gibson when he asked me the same question 24 hours ago, if anyone comes to me with a plan that means that we will all be happy with the result of the election at the end of the day, we will look at it. Until that day, the most important thing is to ensure that we all agree with the result. Currently, that is not an issue for my party in respect of local government elections.

I want to mention some other points that were made earlier. Stephen Kerr and I have been unusually polite to each other during the debate, because it has been all about the consultation and the ease with which we have managed the bill. Mr Kerr and I have had a number of rammies in the chamber; I take on board many of his points of view. I also direct him to our electoral reform consultation and I appeal to everyone to look at that. I take his point: who would want to become involved in politics, given some of the toxic things that are happening out there in public life? That is a thing that we, as politicians, need to be wary of, and we need to say that to others who get involved in the process.

Mr Bibby expressed concern about additional financial burdens on councils. I have explained that I do not believe that there will be any. He mentioned in particular the Polish community in areas including Renfrewshire—which I would call “Greater Paisley”, but that is just me. It is important that the bill shows that we are saying to people that when they come to our country, their playing a constructive part in it should include their being able to take part in the democratic process.

I think that I said this at committee, but I am often reminded of Jim Mitchell—an SNP councillor who is no longer with us. He used to say to me that we find ourselves in a funny situation in which

only a tiny percentage of people get involved in politics, but we then spend our time falling out with each other. I always try to find a way of not falling out with everyone and to find consensus wherever I can. At the end of the day, that is what our electorate expects of us.

Mark Ruskell made important points about participation in local democracy and engagement with our communities, and said that he wants to extend the right to participate. Again, I would like to listen to Mr Ruskell’s ideas and look at how we could, in the future, work on what he is looking for on top of what we have heard about today.

I am pleased that the bill has attracted wide-ranging support across the parties. I, along with the conveners of the two committees, will take all the glory for that because of the consensual way in which we all worked together to make it happen. I also repeat my thanks to the Standards, Procedures and Public Appointments Committee and the Delegated Powers and Law Reform Committee for their consideration of the bill.

The only thing that is left for me to say is that I invite all members to agree to the passing of the bill.

The Presiding Officer (Alison Johnstone): Thank you. That concludes the debate on the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill.

Decision Time

17:04

The Presiding Officer (Alison Johnstone):

There is one question to be put as a result of today's business. The question is, that motion S6M-04818, in the name of George Adam, on the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill, be agreed to.

There will be a short suspension to allow members to access the digital voting system.

17:04

Meeting suspended.

17:07

On resuming—

The Presiding Officer: We come to the division on motion S6M-04818, in the name of George Adam. Members should cast their votes now.

The vote is closed.

Gillian Martin has a point of order. Unfortunately, we are unable to connect with Ms Martin, at the moment.

Michael Matheson: On a point of order, Presiding Officer.

The app was not working on my phone, but I would have voted yes.

The Presiding Officer: We will ensure that that is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dowe, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)

Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 116, Against 0, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill be passed.

The Presiding Officer: The Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill is passed. [*Applause.*]

The Presiding Officer: That concludes decision time.

Ukrainian Refugees (Trafficking)

The Deputy Presiding Officer (Annabelle Ewing): The final item of business is a members' business debate on motion S6M-04703, in the name of Bill Kidd, on making Scotland hostile to trafficking and a safe place for Ukrainian refugees. The debate will be concluded without any question being put. I ask members who wish to speak in the debate to please press their request-to-speak button now.

Motion debated,

That the Parliament welcomes the launch of the Hope for Justice and anti-trafficking partners' website, Ukrainians Welcome, which is aimed at protecting refugees in the UK against modern slavery, and the Organization for Security and Co-operation in Europe's (OSCE) new recommendations on mitigating the risks of trafficking, following the crisis in Ukraine, as it considers refugees are particularly vulnerable to trafficking for sexual exploitation and other forms of modern slavery; understands that the Scottish Government has committed to criminalising sex buyers, addressing the reported impunity of sex buyers in exploiting vulnerable women and children, and, through criminalisation, making Scotland hostile to human traffickers; considers that Baroness Helena Kennedy QC's report on Misogyny and Criminal Justice in Scotland affirms the understanding of commercial sexual exploitation, including pornography, prostitution and trafficking, as "violence against women and girls"; recognises the OSCE's reported findings that internet searches for Ukrainian women for sale for sexual exploitation has increased by between 200% to 600% across multiple countries in Europe since the Ukrainian refugee crisis started, and that, in the UK, internet searches for Ukrainian women has increased by 669%, compared with March 2021; considers that the criminalisation of sex buyers in Scotland would tackle the demand that fosters trafficking and respond to Palermo protocol commitments; commends the efforts of anti-trafficking organisations, such as International Justice Mission, which presented information to the Cross-Party Group on Human Trafficking on the work that it has been doing to prevent human trafficking occurring at the Romanian-Ukrainian border since the war in Ukraine started, and A21, which it understands is safely housing Ukrainian survivors of sex trafficking and runs trafficking awareness campaigns across Europe; considers that such examples show the success that is possible when authorities and charities work collaboratively to warn refugees of the signs of human traffickers and provide practical assistance to avoid refugees taking up unsafe offers of accommodation or transport; believes that vulnerability to trafficking increases when refugees are in transit or when financial resources reduce over time, and recognises what it sees as the invaluable work of individual sponsors, community groups and local organisations in welcoming refugees to Glasgow and the rest of Scotland, and ensuring that they are provided with the practical and emotional support needed to begin to find refuge and safety as they rebuild their lives.

17:12

Bill Kidd (Glasgow Anniesland) (SNP): We are gathered here for this debate with one driving purpose. We are here to speak up for those who are vulnerable and those who have been

exploited, and to use our positions of power and political influence to condemn the trafficking of women and children for sexual exploitation.

Through the work of the Organization for Security and Co-operation in Europe, the United Nations special rapporteur on the sale of children and anti-trafficking charities such as A21, the International Justice Mission and Hope for Justice, we understand that times of humanitarian crisis and war increase the vulnerability of women and children to sexual exploitation from criminal gangs. We also know that, within weeks of the war in Ukraine starting, online searches for “Ukrainian escorts” increased in the United Kingdom by 200 per cent, and searches for “Ukrainian women” increased by 669 per cent, in comparison with the previous year. As the UN Secretary General António Guterres said,

“For predators and human traffickers, the war in Ukraine is not a tragedy. It is an opportunity—and women and children are the targets.”

The UK is a buyers’ market. We live in a country where human traffickers draw profit from men who pay to sexually exploit vulnerable women and children, whether that is through prostitution or other forms of sexual exploitation, such as livestreamed abuse. This financially motivated crime generates annual profits of £80 billion globally. To put that in perspective, £80 billion, or \$100 billion, is more than double the profits that Apple Incorporated made in 2019. Scotland is not immune from trafficking for sexual exploitation. Impunity for sex buyers, and the consequent ability for traffickers and pimps to draw rampant profits, is an egregious stain on this country and we must put a stop to it now.

MSPs in the chamber are fully aware that the commoditisation of women and children through online child abuse material, pornography and the in-person sale of sexual exploitation, such as through strip clubs and prostitution, is violence against women and girls. That has been the long-held formal position of the Scottish Government, and the report “Misogyny—A Human Rights Issue” by Baroness Kennedy, which was published in March, reaffirms that understanding through a detailed assessment of the state of affairs of both hidden and prolific misogyny in Scotland. We know that moral standpoint inherently, yet the abuse goes on.

Worldwide, 92 per cent of the victims of human trafficking for sexual exploitation are women and girls, making it a highly gendered form of exploitation. The OSCE report on discouraging demand for human trafficking also makes it clear that it is frequently an ethnically based crime. Human trafficking and sexual exploitation occur at the hands of predators who use power

imbalances, violence and coercion to force vulnerable women and children into abuse.

Today, I want to use my time to speak up for those women and children who have been so mistreated. Today, we say “No more”. I want to compel my colleagues across this Parliament to shake off any form of passivity about the subject, because we have the power to do something about it. We can make Scotland hostile to predators who prey on the vulnerability of women and children by making it illegal for men to purchase sex. I commend the work of Ash Regan, Ruth Maguire, Rhoda Grant, Diane Martin—the head of the A Model for Scotland campaign—and many others who are driving the issue to the forefront of Scottish politics.

To those who have been abused, I say to you today that it is not your fault, it was never your fault, it was never okay and there is real hope. Hope is substantial, and it can be trusted. Through my work on the cross-party group on human trafficking, I have been overwhelmed by the commitment, drive and effectiveness of the organisations who are resolute in battling this issue head on. I thank UN House Scotland for its work in co-ordinating the cross-party group on human trafficking.

Last month the CPG had the privilege of hearing from the International Justice Mission, which works worldwide to tackle all forms of modern slavery, including sexual exploitation. Due to its reputation with police authorities and criminal justice systems in eastern Europe, the IJM was warned of the specific days on which war in Ukraine was expected to start. Consequently, it was in place to assist border officials in Romania when the refugee crisis started. That meant that every single Ukrainian to go through that major border crossing received information in their passports explaining the methods of human traffickers, how to avoid dangerous and false offers of aid, and helplines to use if they were approached by traffickers. The strategies, commitment and hope carried by anti-trafficking charities are reverberating throughout Europe as people step up to ensure the safety of Ukrainian refugees and the many other women and children who are also vulnerable to sexual exploitation.

Hope for Justice is another example of a charity that is doing incredible work worldwide to rescue victims, restore lives and reform society. I thank it for its invaluable briefings to MSPs on how to protect Ukrainian refugees fleeing conflict. Its round-table work with University College London highlights that new risks specific to war interact with existing systemic risks in the UK. Moreover, Hope for Justice has highlighted that measures to enable perpetrator accountability must be a key part of our response to the vulnerabilities created

by the Ukraine crisis. The IJM and the Medaille Trust have emphasised that tackling impunity and demand is a key part of effectively responding to modern slavery and helping to protect those in poverty who are vulnerable to exploitation.

In the Parliament, we must take action to tear apart the profits enjoyed by traffickers and pimps from sexual exploitation. Men purchasing sex will not ask of their own volition whether the victim they are raping was trafficked to the UK, or whether the girl is under 18, was previously a victim of child sex abuse or was forced into prostitution from an abusive relationship. Even in Ireland, where the laws are much stronger on the issue, prevention operations reported by the OSCE found that more than two thirds of men attempting to purchase sex through a fictitious ad proceeded to ask about services on offer after being told that the woman or child was a victim of human trafficking.

The issues that we are discussing today are clear, and the answer is clear. We must not put the burden of proof of exploitation on to the women and children who are being abused; rather, we must take away impunity from the men who commit sexual exploitation and who create demand and profits from trafficking.

To the survivors and the women and children who are still, as I speak, being exploited in Scotland, I say that you have my resolute commitment that I will vote to criminalise the men who purchase sex. We will battle this issue head on; again, you have my resolute commitment to that. I urge my fellow parliamentarians to follow in line. All the work to be done in this Parliament is absolutely worth it. For the one person protected from exploitation, we protect them all. We will fight for you.

The Deputy Presiding Officer: Thank you, Mr Kidd. I call Ruth Maguire, who joins us remotely, to be followed by Donald Cameron.

17:21

Ruth Maguire (Cunninghame South) (SNP): I warmly congratulate Bill Kidd on securing this important members' business debate on preventing trafficking and protecting refugees. I also congratulate him on his excellent motion and speech, which powerfully joined the dots between the risk to women, the causes and consequences of trafficking, and violence, and which importantly, highlighted the solution.

The motion is timely, given the war in Ukraine and the perilous situation facing women and children fleeing that conflict, and, indeed, the support offered from the Government at this time.

I acknowledge that trafficking is not a new concern, that refugees from across the globe are at risk and that women are trafficked within Scotland and the UK, not just from outwith. The issue is complex. From our relative safety in Scotland, it is hard to put ourselves in a place where we can imagine the terror of having to flee our homes as war is waged, and the danger and risks of travelling to new countries to seek sanctuary.

The risk to women and children does not end when they arrive. Last week, I raised with the Scottish Government the need for active safeguarding and safety planning to continue in the medium and long term. As a Government with a commitment to feminist foreign policy, I expect our Government will have looked at the issue through a gendered lens and understands the unique risk to women and children.

Of course, initially the areas of most concern were at border areas and transport hubs. However, Scotland must also be aware of the indications or attempts to recruit potential victims of human trafficking and take action to counter and prevent them. With Europol warning about individual opportunistic abusers posing as volunteers and criminal networks that specialise in human trafficking, there are increasing concerns about the potential for perpetrators of abuse and human traffickers to exploit our current response to the war in Ukraine.

Minister Neil Gray agreed last week to consider my request to include violence against women and girls partnerships and services in the response at both strategic and operational levels and to commit to carrying out gender-specific risk and safety planning, not just at entry to the country but also in the medium and long term.

Helpfully, a statement recently released by the Glasgow violence against women partnership laid out in more detail the value that that would bring. In addition to the measures that I have just mentioned, it also asks that responses include the specific community integration needs of women and children, are cognisant of previous experiences of male violence against women and female-specific war crime, and, importantly, engage the Ukrainian community. It asks us to ensure that there is sufficient awareness of indicators of gender-based violence, including human trafficking and its particularly gendered nature, with front-line staff in key services such as health, social work, police, pharmacies, schools and housing receiving sufficient training on and knowledge of the impact of violence against women. Front-line staff must also fully understand the referral pathways, and hosts and supporters should be trauma aware and promote trauma-informed responses.

On monitoring, there should be oversight of where Ukrainian refugees are residing, and the Government should ensure disaggregation of data in terms of gender and age—I hope that the minister can tell us in summing up that that is already happening. Of course, it goes without saying that robust safeguarding, vetting and matching procedures need to be in place to mitigate the current risks and that those must be monitored and reviewed.

To protect women when they are here, they need accessible, culturally sensitive, trauma-informed, women-only services with access to interpreting; clear referral pathways to access support; and their medium and long-term needs met through rapid access to childcare and children's education.

It is within our gift to address all those things to make our Ukrainian sisters safe and welcome here. Indeed, they do not necessarily require much more new resource or new services; rather, what is needed is a refocus on and recommitment to existing policies. Many of those things should be happening already to ensure the safety of all women and girls in Scotland.

While trafficking is a complex and wicked problem to address, there is a simple truth at the centre of it, which I know the Scottish Government recognises—a truth that should spur it on to join the dots, act promptly and legislate. Trafficking in human beings is a financially motivated crime, and exploitation of prostitution in particular is motivated by traffickers' knowledge of how much money they will make from men paying for sexual access to women and girls. Removing that financial incentive for criminals by tackling men's demand is the way to end this cruel trade in human suffering. Our words and policy intentions do not keep women and girls safe. We need legislation to punish those responsible, backed up by services to support victims. To end—not mitigate or manage—this harm requires a change in the law. I urge the Scottish Government to act now.

17:27

Donald Cameron (Highlands and Islands) (Con): As you know, Presiding Officer, I am, regrettably, unable to stay to the very end of this debate. I apologise to you and to Bill Kidd—I hope that that is acceptable.

I congratulate Bill Kidd on securing debate time for this important issue, particularly against the backdrop of the on-going war in Ukraine. Bill Kidd has done much work on the issue in his trademark quiet but effective way. I pay tribute to him for that.

I reiterate the Conservatives' support for, and solidarity with, the people of Ukraine, who continue to face military action from Putin and truly

awful violations of human rights. My colleague Sharon Dowey and I visited the Ukrainian community centre in March to hear about its work in supporting Ukrainians who are based in Scotland, many of whom have family in Ukraine. We also discussed its work in delivering vital aid to that country. It was a truly desperate time, and it remains so.

I welcome the joint working of the UK Government and the Scottish Government on the issue. Some matters rise above party politics, and this is surely one of them. In particular, I acknowledge the significant aid response of both Governments, including the Scottish Government's initial £4 million package of financial aid to help those in desperate need and the UK Government's commitment of £220 million of humanitarian aid to save lives and protect vulnerable people inside Ukraine and in neighbouring countries.

The response of both Governments has been welcome, particularly their actions to offer a pathway to Ukrainian refugees coming to Scotland, but that has undoubtedly given rise to people seeking to exploit the vulnerability of Ukrainian refugees. As Gillian Triggs, who is the Assistant High Commissioner for Protection in the United Nations High Commissioner for Refugees, has warned:

“we are on high alert and warning refugees on the risks of predators and criminal networks who may attempt to exploit their vulnerability or lure them with promises of free transport, accommodation, employment or other forms of assistance.”

According to the UN, 90 per cent of refugees leaving Ukraine are women or children. As a result, we must be mindful of ensuring that those who are entering the UK and Scotland are doing so legally and safely.

It is also important that those who offer sanctuary to Ukrainians go through rigorous checks. I welcome the Scottish Government's approach in applying enhanced disclosure checks to all hosts, not just where children are involved. As the Christian charity CARE for Scotland has noted, it is

“essential that these refugees do not ‘fall off the radar’ once they have been set up with hosts. There must be adequate follow-up checks by local authorities who are trained to spot the signs of exploitation.”

It has recommended that online businesses crack down

“on unofficial social media groups being used to match prospective hosts with refugees”

because

“Such sites can quickly become a forum for traffickers”.

It is worth acknowledging the measures that the UK Government is taking to clamp down on modern slavery and human trafficking. The reforms that are set out in the Nationality and Borders Act 2022 include the setting out of circumstances in which confirmed victims will receive temporary leave to remain. That provides victims and decision makers with clarity on entitlement in line with international obligations. A modern slavery bill will come to the UK Parliament to further strengthen the protection of, and support for, victims of human trafficking and modern slavery.

The issue is among the most serious issues that will come before the Parliament, and I heartily commend Bill Kidd for bringing it here for debate. Scotland and the rest of the UK must be at the forefront of tackling the evils of human trafficking and modern slavery, not just with the on-going crisis in Ukraine in mind. In all events, our ambition should be to eliminate those. I welcome the measures that are being taken to achieve that, and the work of charities, Government and other organisations to support the victims of such crimes, and I look forward to further developments in the area and to working together across Parliaments and political divides to end that scourge once and for all.

17:31

Rhoda Grant (Highlands and Islands) (Lab): I, too, congratulate Bill Kidd on securing this debate, and I join him in paying tribute to UN House Scotland for its work as secretariat to the cross-party group on human trafficking.

There is a media focus on the war in Ukraine, but it is clear that the standards and support that we would wish to be made available for Ukrainian refugees should be extended to all refugees. They should be treated equally and should be given a safe haven and the support that they need to deal with the trauma that they have faced.

The focus on the war in Ukraine has highlighted a number of issues relating to the support of refugees. I have heard of cases in which refugees who have accessed the homes for Ukraine scheme have found themselves to be at the mercy of those who would exploit them. I am pleased that protections have now been strengthened to weed out those people, but we also need to prosecute those who do that. We know that people who are escaping from war are easily exploited by people traffickers. They often do not have identification or paperwork, they are vulnerable, and they are a ready source of profit for traffickers. That profit can come from the refugees themselves using the little money that they have with them to pay traffickers to get into a country. It is also clear that refugees are vulnerable to traffickers who are looking for

modern day slaves to feed our need for cheap labour and to feed the demand of the sex industry.

The Co-operative Party, which I am a member of, has promoted a modern day slavery charter, which encourages local authorities and organisations to look at their procurement processes to ensure that they are not inadvertently supporting those slavers' activities. We all have a role in that, especially those of us who use cash-based industries. We must remember that trafficking and exploitation go on in plain sight. If you suspect it, report it.

That exploitation is particularly prevalent in the sex industry. That is because there is a demand for purchasing sex, which is legal in the UK—hence the attraction of sex trafficking to feed and profit from that demand.

Bill Kidd has highlighted the OSCE and Thomson Reuters research that showed that there was a 200 per cent rise in UK internet searches for “Ukrainian escorts” in the early days of the war. That shows the role of those pimping websites in the exploitation of trafficked people. It also totally undermines the myth that sex buyers are unaware that trafficked women are being used to fulfil their demand for sex, and it clearly shows that, worse than their being uncaring about that, many of them actively seek to exploit trafficked women and to assault them.

That should not be a surprise, because we all know that prostitution is violence against women. It is gendered and misogynistic. It comes from age-old violence and men wanting to possess and control women.

It is high time that we became a less welcoming country for traffickers and a country in which those who buy sex are held to account and are criminalised and punished for their abuse. Every day in which they continue unchallenged is a day in which we turn a blind eye to the misery of trafficking.

I know that the minister is committed to changing that. I ask her to do so as a matter of urgency because, while we wait, more people are being traded into misery.

17:35

Kaukab Stewart (Glasgow Kelvin) (SNP): I thank all my colleagues for their powerful contributions. I am especially grateful to Bill Kidd for lodging such a detailed motion, which highlights the disproportionate impact of trafficking on women and children.

It should be noted that, when drilling down into the demographics of the victims of trafficking and piecing together the names and faces of those who have been abused and traded as

commodities, we find that a disproportionate number are minority ethnic women and girls. Our hearts go out to them as they face unimaginable situations of fear and abuse, and I take this opportunity to highlight their plight.

The motion refers to the Scottish Government's stated commitment to criminalising the purchasing of sex. That commitment was first made following the passing of the bill that became the Human Trafficking and Exploitation (Scotland) Act 2015. During the passage of that legislation, it was highlighted that removing the financial incentive for those who organise the sale of sex leads to a reduction in demand among those who buy sex. That should be an essential part of any strategy to tackle human trafficking effectively. It is now seven years since that law was passed, so I hope that the minister will give us an update on the timetable for delivering on that commitment.

According to the United Nations High Commissioner for Refugees, more than 2.5 million people have now fled Ukraine since Russia's invasion. In a report in April 2022 by the Independent Anti-Slavery Commissioner and University College London, Dr Laura Wood noted that Ukraine has hosted students from across Africa, Asia and the middle east for many years. Since the war began, those who have not managed to return home have faced

"racism, discrimination"

and

"segregation within refugee responses".

Many of them are desperate and at considerable risk of exploitation by traffickers as they seek to find a way to escape the war, complete their qualifications or return home. It is a truly dire situation.

The overrepresentation of ethnic minorities among the victims of trafficking has played out in countries all over the world. In the US, between 2008 and 2010, 40 per cent of identified victims of trafficking for the purpose of sexual exploitation were black. That compares with 13 per cent in relation to the general population. A 2012 study of online sex buyers in the United States found that 85 per cent of buyers were white. That highlights the clear racial disparities between buyers and victims.

Although the data might be sobering, it is the stories that truly resonate. Each one is too familiar and too harrowing to forget. For example, Renata's story—Renata is not her name—has been highlighted by the Medaille Trust. Renata was a law student from Latin America who was offered a job in Italy and was told that she would be working in a restaurant and could earn money while continuing her education. She arrived safely,

but traffickers were waiting for her. She was abducted, raped and forced into prostitution. That lasted for years until she finally escaped. She provided evidence about her experience to the Italian police, thinking that she was now safe, but, unfortunately, the traffickers found her and the abuse continued.

Although Renata's story is now one of hope—ultimately, she managed to get help through the Medaille Trust and was able to get back into education—it gives us a devastating insight into the experiences of those who are consumed by this abhorrent trade.

The global situation that we are in is entirely unacceptable. With annual profits from the sexual exploitation of trafficking victims totalling more than £100 billion, we need to act urgently to effectively deter those who seek to capitalise on the degradation and dehumanisation of vulnerable women and children.

17:40

Stephen Kerr (Central Scotland) (Con): I am delighted to follow Kaukab Stewart, who gave an excellent speech. I congratulate Bill Kidd on not only bringing the motion to Parliament but giving a very passionate and strong speech. I associate myself with his remarks.

When the conflict in Ukraine broke out and there was a mass movement of people, particularly women and children, out of Ukraine and into neighbouring countries, with some going further afield, I shared the concerns that many others had about the nature of the checks that were done to ensure that women and children would be safe where they were going. There were concerns about how they would be treated, the suitability of the sponsors and the suitability of the accommodation that they would be placed in.

Central to my politics is the idea that we cannot place an economic value on human life. As people, we are not simply economic commodities; we have an equal and measurable worth. Human trafficking is completely contrary to that idea. I cannot find the English words to describe how much I detest human traffickers and the misery that they bring into the lives of, in particular, women and girls. Human traffickers see people as objects to make profit, and they put people through unimaginable pain and suffering, as we have heard from the speeches that have been made.

We should be proud of some of the things that we have done as a United Kingdom, one of which is the Modern Slavery Act 2015. That legislation was introduced by Theresa May when she was the Home Secretary. The 2015 act was one of the reasons why I was proud to serve in a very lowly

role in Theresa May's Government—it was probably the lowest possible rung; in fact, I served at such a low level that it probably was not even a rung. The legislation was world leading when it was introduced, and we should celebrate the 2015 act, but we should not become complacent. We must build on the 2015 act and ensure that the United Kingdom remains a world leader in tackling this abhorrent crime.

The 2015 act was the first legislation of that sort in Europe. It introduced tough new penalties for those behind human trafficking, with the worst offenders facing long sentences—in fact, life sentences. Through the creation of a new police intelligence tool, it prevents anyone who has previously been convicted of human trafficking from travelling to a country where they have exploited vulnerable people in the past. The 2015 act also delivers enhanced protection and support for victims, and it requires businesses to show that human trafficking is not taking place in their company or in any of their supply chains. In my view, that aspect of the act should be more rigorously enforced.

Given that trends in human trafficking change consistently, it is important that we, as a country, revise and update the 2015 act to ensure that it is designed in a way to tackle modern practices. Therefore, the United Kingdom Government and all of us, as parliamentarians, must consider whether the recommendations that were made in the independent review of the 2015 act can be incorporated into legislation.

Since the UK Parliament legislated in 2015, many countries around the world have introduced their own legislation in the area. The United Kingdom Government and all of us can learn from the lessons from other countries. It is my hope that we will reach out to our allies around the world to improve global efforts and co-ordination in tackling human trafficking. We cannot stand still in this area, which is why amendments to the 2015 act were part of the recent Queen's speech. I look forward, as I am sure all members do, to reading the details of the bill when it is introduced later this year.

Human trafficking—modern slavery—remains one of the great human rights issues of our time. Although we have shown global leadership in our efforts to rid the world of this barbaric evil, it is right, as Bill Kidd highlighted, that we renew our determination to combat and eliminate it.

One of my great political heroes is William Wilberforce. It was the United Kingdom that took an historic stand in outlawing the slave trade two centuries ago. One of the most wonderfully inspiring historic images of that campaign is the slavery medallion that was produced by Josiah

Wedgwood. The image is that of a kneeling man in chains, with the words

“Am I not a man and a brother?”

inscribed underneath—“Am I not a woman and a sister?” would be appropriate for the tone of our debate.

I hope that, as parliamentarians, we will use this debate to renew our commitment to stand up to the abhorrent crimes that we have described in our speeches, and that we will use all our energy, and concentrate our combined efforts, on preserving the values and freedoms that define our country and which have defined it for generations.

17:46

The Minister for Community Safety (Ash Regan): I extend my thanks to Mr Kidd for the opportunity to discuss such an important issue. No one can disagree with the premise that we want to make Scotland hostile to trafficking and a safe place for Ukrainian refugees. His moving speech to us this afternoon contained a strong call for action, which I heed.

Scotland has a proud history of welcoming refugees and people seeking sanctuary from war and from violence, but ensuring the wellbeing and safety of those who are arriving from Ukraine is critical to that aim. Under our supersponsor scheme, displaced people are accommodated safely in temporary accommodation until disclosure and property checks have been completed, mitigating the risks that are unfortunately inherent in the UK system. Those checks interrogate national and local systems and have been designed to maximise opportunities to identify and remove host applicants who may be unsuitable. We have pressed the UK Government to replicate our scheme and to develop a public sector matching service, which was mentioned by a couple of speakers, and we will continue to do that.

We have also published public protection guidance to support all operational partners that are involved in safeguarding. The guidance was developed with stakeholders and it takes into account the need for a gendered approach, which was mentioned by Ruth Maguire. I note the many other practical suggestions that she made during her speech.

Additionally, we have established a new trafficking and exploitation strategy group to ensure that risks and concerns that are identified are understood and addressed in a multiagency approach. The Trafficking Awareness Raising Alliance and JustRight Scotland, funded by the Scottish Government, have developed a leaflet

including information on indicators of trafficking. The leaflet has been translated into Ukrainian and Russian and it is available at welcome hubs and has been shared widely. I think that that is very relevant to the aspirations of the Ukrainians Welcome website of Hope for Justice and its anti-trafficking partners, which has been referenced. I also want to highlight the practical information that is available in the Ukraine section of the Scottish Government's website for those fleeing Ukraine and for potential hosts in Scotland.

I know that this is not a time for complacency and we will continue to do everything that we can to stamp out all forms of trafficking and exploitation arising from this conflict and otherwise. My vision of Scotland is one where all women and girls are treated with respect and not one where we turn a blind eye to abuse, violence or trafficking. Tackling sexual exploitation is key to realising that, and a key part of that work is our programme for government commitment to develop a model for Scotland that effectively challenges men's demand for prostitution. That commitment is in line with our international obligations to incorporate the UN Convention on the Elimination of All Forms of Discrimination Against Women into Scots law. Article 6, in particular, compels Scotland to

"take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."

War in Ukraine has tragically highlighted—Rhoda Grant's speech brought this out this evening—the need to take action to challenge and deter men's demand. The conflict is putting women and girls at further risk of exploitation. We have seen the disturbing reality of that with the reports of the 200 per cent increase in UK internet searches for "Ukrainian women" that was mentioned by a number of speakers this evening, including Mr Kidd.

In addition to the international crises adding to the pressures that can fuel sexual exploitation, tackling the systemic disadvantages and inequalities that women face is critical. The development of our model takes that into account and the reality that that demand is linked to human trafficking. The Human Trafficking and Exploitation (Scotland) Act 2015 gives police and prosecutors greater powers to detect and bring to justice those who are responsible for trafficking, as well as strengthening protection for survivors. Police Scotland actively investigates any reports concerning human trafficking and exploitation and will continue to work closely with partners across the UK and internationally to share intelligence and to co-ordinate work to tackle it.

It is important that we tackle exploitation wherever it happens, whether that is online or

offline. Procuring for the purposes of prostitution is still an offence if it is committed online and Police Scotland will actively investigate all reports of sexual exploitation, including those of online sexual exploitation. The online aspects are at the forefront of our minds in the development of the model. We are continuing to liaise with the UK Government and Ofcom on the UK Online Safety Bill.

Our work to challenge men's demand will continue to require a collective response right across Government, the wider public and the third sector. A short-life working group with representation from key stakeholders was tasked with developing the fundamental principles to underpin the model. It held its last formal meeting in April, with further targeted stakeholder engagement to follow as part of finalising those principles, which will be published later this year. The principles will help to create a solid foundation on which we can uphold the aspirations and values that we want to see reflected in the model. They will also help to draw together our efforts to challenge and deter men's demand and raise greater awareness of some of the challenges that those who are involved in prostitution can face.

We have committed to engaging with those with direct or lived experience to shape services and are committed to ensuring that our approach makes things better for all who are involved in prostitution. In the coming months, we will publish lived-experience research, which we have commissioned to better understand the current support service provision and the needs of service users. That will also inform our developing model.

Also to be published this year is an evidence review on international approaches to challenging demand. That is being carried out by the Scottish Government's justice analytical services and it will inform the development of the model while obviously taking into account Scotland's unique legal and societal landscape.

I give my commitment again this afternoon that I will continue on this work across Government and the chamber and with stakeholders as our approach to tackling sexual exploitation further develops, contributing to our aim to be a society that treats all with kindness, dignity and compassion. That is reflected in our response supporting those who are displaced by war in Ukraine, and I thank all who are involved in that response.

The Deputy Presiding Officer: Thank you, minister. That concludes the debate and I close this meeting.

Meeting closed at 17:54.

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