



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Tuesday 4 October 2022

Session 6



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Scottish Parliament

Tuesday 4 October 2022

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

Time for Reflection

The Presiding Officer (Alison Johnstone):

Good afternoon. The first item of business is time for reflection. Our time for reflection leader is Dr Mary Njoki PhD, who is a research fellow at the University of Stirling and a social worker.

Dr Mary Njoki (University of Stirling): Thank you, Presiding Officer and members of the Scottish Parliament, for this opportunity to lead the Parliament in time for reflection.

Where do I belong? Where is home? When I visit my home country, I am often told that I no longer belong, because my thinking and my way of doing things have changed—especially in expecting people to queue and in my impeccable timekeeping. If I complain when someone is an hour late, they proclaim, “I am now here. That is all that matters.”

When I am in the United Kingdom, I am constantly asked where I am from. That question reminds me that I am an outsider, having come from elsewhere.

I grappled with my sense of belonging until I decided that I belonged here, there and everywhere, and—most important—that I belonged to myself. That meant that I do not need to belong to a specific geographical location.

Some Scottish friends have told me that I belong here, that they want me here and that I am even more Scottish than some of them, with the different causes that I have. Although beautiful, that was not convincing.

However, recently, an occasion made me review and reflect on my sense of belonging. In August 2022, we very belatedly celebrated my 40th birthday—that was two and a half years late, due to Covid. My neighbours hosted my guests who had travelled from different parts of the world. One person whom I had never met hosted my friend from Belgium after I was told to post the request on our street WhatsApp group. Another neighbour harvested tonnes of apples from her allotment for the party, and another collected wood donations from other neighbours for the bonfire at the beach after-party, which she manned. Other neighbours dealt with all the recycling that was needed after the party. Another offered to be the disc jockey for the after-party, and many kept asking what they could do to help. I had never

experienced such neighbourliness. Their gestures, generosity and kindness touched me deeply.

That experience made me realise that, whether I feel that I belong or do not belong in Scotland or Kenya, I definitely belong in my neighbourhood. That sense of belonging helps in building resilience and reduces loneliness and isolation for those coming from elsewhere to make Scotland their home and for those who were born in Scotland.

I urge you all to promote and support activities that help to build community capacity and cohesion, which enhances wellbeing, a sense of belonging and supportive neighbourhoods in Scotland to improve people’s quality of life and connectivity.

Thank you very much.

Cost of Living (Tenant Protection) (Scotland) Bill

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of motion S6M-06177, in the name of George Adam, on treating the Cost of Living (Tenant Protection) (Scotland) Bill as an emergency bill.

14:04

The Minister for Parliamentary Business (George Adam): I will say a few words about the bill itself.

It is imperative that the bill is treated urgently so that it can be ensured that important protections are in place for people who rent their homes before cost rises impact their finances by the end of October this year.

We are dealing with a difficult issue, and things have moved on. It is important that the Parliament does something to support people in our communities who need support. I will leave it at that at this stage. I propose that we treat the bill as emergency legislation.

I move,

That the Parliament agrees that the Cost of Living (Tenant Protection) (Scotland) Bill be treated as an Emergency Bill.

14:05

Miles Briggs (Lothian) (Con): I move that we do not support the suspension of the standing orders. The Scottish Government has insisted on enforcing an emergency legislation timetable in relation to the bill. That has meant that members saw the content of the bill only late last night, leaving them little time before the Local Government, Housing and Planning Committee met this morning and before they are being expected to debate the bill and vote on its general principles.

Prior to the introduction of Covid-19 emergency legislation, consultation was undertaken with the sectors that were directly impacted, but that is not the case with this bill. The Scottish housing market is complex, and unintended consequences of the bill will be clear. However, the decision by Scottish National Party-Green ministers has been made without any consultation with the sector's representative bodies, and has resulted in much frantic activity since the announcement was made by the First Minister to assess the negative impacts that the bill will clearly have.

I hope that Parliament will consider that we need the opportunity to properly consider the bill and its impact. The process under which the bill

has been introduced is unacceptable and flawed, and the Government has tried to bypass any in-depth scrutiny from Parliament. Organisations and businesses that will be impacted have highlighted that to us all.

I therefore ask ministers to provide members with the same opportunity that they had with the emergency Covid legislation to look at the bill in more detail, and I urge members to vote against the suspension of standing orders.

George Adam: As I said, it is imperative that we pass the legislation and that it is treated as urgent, because of the impacts that it could have on people's finances at the end of October 2022.

What the gentleman whose name I have forgotten—Miles Briggs—stated shows that we cannot win in this scenario. Last week, one of his colleagues accused us of sharing the bill with the sector, but now he is saying that we are not talking to anyone about the bill. He cannot have it both ways.

I find it strange that the Conservatives would take that tack. Call me a cynic, but I do not think that the Conservatives believed in the legislation to start with, which is the fundamental difference between us.

I will come on to some of the detail of the bill. As households in the rented sector, especially those on lower incomes—

Graham Simpson (Central Scotland) (Con): Will the minister give way?

George Adam: No. Mr Simpson should listen to what I have to say about those people on lower incomes. They generally spend more of their income on housing costs than owner-occupiers do. They experience higher rates of income poverty and child poverty. Economic analysis suggests that additional measures are necessary to protect renters. The measures in the bill are intended to offer protection to tenants in recognition of the particular issues affecting people who rent their home as a result of the cost of living crisis, which, incidentally, was created by the United Kingdom Tory Government.

Given the urgency of the situation and the fact that the rise in fuel costs will have a significant impact on households in the rented sector, we consider that the provisions need to come into force before winter. Our announcement one month before bringing the emergency measures to Parliament ensured that our intentions were well known and allowed time for people to adjust their behaviour.

The proposed changes are needed urgently to ensure that we protect tenants from the disproportionate financial stress that the cost of living crisis has put them under. Any delay could

have a terrible impact on our communities and would be devastating for many households throughout Scotland.

Miles Briggs: On a point of order, Presiding Officer. Has the Scottish Parliament provided all members with reassurance that the bill is compliant with article 1 of the first protocol of the European convention on human rights? There are rumours that there will be a legal challenge to the bill. Given that the Parliament has previously been informed about poor legislation facing legal challenge, will the Scottish Government let Parliament know about that?

The Presiding Officer: Thank you, Mr Briggs. I can confirm that I have published my statement to the effect that the bill is within the legislative competence of this Parliament.

Jackie Dunbar (Aberdeen Donside) (SNP): On a point of order, Presiding Officer. Would it be possible to check whether everyone can access BlueJeans? I am getting notifications from some of our team that they are not able to do so.

The Presiding Officer: Thank you, Ms Dunbar. We will confirm whether that is, indeed, the case.

The question is, that motion SM6-06177, in the name of George Adam, on treating the Cost of Living (Tenant Protection) (Scotland) Bill as an emergency bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. There will be a short suspension to allow members to access the digital voting system.

14:10

Meeting suspended.

14:18

On resuming—

The Presiding Officer: We move to the vote on motion S6M-06177. Members should cast their votes now.

The vote is now closed.

The Minister for Transport (Jenny Gilruth): On a point of order, Presiding Officer. I could not connect to the voting platform, 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)
 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)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 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)
 Dornan, James (Glasgow Cathcart) (SNP)
 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)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 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)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 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)
 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)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)

Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 86, Against 28, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Cost of Living (Tenant Protection) (Scotland) Bill be treated as an Emergency Bill.

Topical Question Time

14:20

The Presiding Officer (Alison Johnstone):

The next item of business is topical question time. In order to get in as many members as possible, short and succinct questions and responses would be appreciated.

Mental Health and Substance Use (Report)

1. Claire Baker (Mid Scotland and Fife) (Lab):

To ask the Scottish Government what its response is to the Mental Welfare Commission for Scotland's report "Ending the exclusion: Care, treatment and support for people with mental ill health and problem substance use in Scotland". (S6T-00904)

The Minister for Mental Wellbeing and Social Care (Kevin Stewart):

I begin by reaffirming the commitment from me, as well as from the Minister for Drugs Policy, Ms Constance, and from the rest of the Scottish Government to saving and improving the lives of people who are living with poor mental health and addiction. I fully support the position that Ms Constance recently set out in the chamber, that every drug death is one too many and that this remains a public health emergency.

I thank the Mental Welfare Commission for producing its timely report. We will, of course, carefully consider its findings in detail in the coming weeks. The commission has made it clear that our focus must be on delivery. Members will be aware that, through the national drugs mission and our work across mental health, a significant amount of activity is under way to deliver more effective and joined-up care for people with co-occurring mental health and substance use issues.

That includes work that is being led by Healthcare Improvement Scotland to create better working links between substance use and mental health services; the on-going rapid review of mental health and substance use services; and the implementation of the medication-assisted treatment standards, alongside the development and implementation of standards for adult secondary mental health services.

Claire Baker: The Mental Welfare Commission's report is damning. It talks about there being little or no out-of-hours support for people and a lack of trauma-informed care; people being refused access to mental health service due to their addiction; and services being understaffed and underfunded. One service user said that people feel

"abandoned by a broken system".

Another said:

"I just want to see change ... all I see is people dying or being forgotten about."

However, the time until the delivery of MAT standards 6 to 10, which are central to addressing mental health and addiction issues, has been extended, with an implementation date of 2025, which is three years later than it was originally promised. Following the statement in June from the Minister for Drugs Policy, have senior leaders been appointed across Scotland? How will the Minister for Mental Wellbeing and Social Care work with the Minister for Drugs Policy to drive forward the delivery of MAT standards 6 to 10, which are central to mental health, and ensure that they are not neglected, as the focus will be on standards 1 to 5, which have to be delivered by next year?

Kevin Stewart: I make it clear to the Parliament that the Minister for Drugs Policy and I believe that mental health and substance use services must be joined at the hip. We have been clear that we want all the MAT standards to be fully embedded as soon as possible. As far as we are concerned, the progress that has been made to date has not been good enough or quick enough.

At the end of the previous parliamentary session, the Minister for Drugs Policy wrote a letter of direction to all territorial health boards, integration authorities and local authorities. That letter directed that, by the end of September, chief officers and chief executives must personally sign specific and timed improvement plans for implementing those MAT standards. The Minister for Drugs Policy will update Parliament further on the progress of those standards in December.

Claire Baker: All of that activity, which I recognise is taking place, requires investment. Although the Drug Deaths Taskforce acknowledged recent funding commitments, it said that they did not go far enough "to deliver transformational change" and described the funding as "woefully inadequate". Although the Minister for Drugs Policy leads on policy in the area, it is, as the Minister for Mental Wellbeing and Social Care has recognised, partly his responsibility because many of the MAT standards focus on the relationship between drug services and mental health. Is he confident that the £10 million a year for the implementation of the MAT standards is enough, given concerns that have been raised around the risk of staff burnout?

Kevin Stewart: I welcome the opportunity to answer that question. We are supporting the delivery of the standards with that £10 million a year for the next four years, as Ms Baker rightly highlights, but there is more than that going on. I and the Minister for Drugs Policy are jointly

providing Health Improvement Scotland with funding of more than £2 million to improve pathways between mental health and substance use services. HIS will work directly with local partners to ensure that people are receiving person-centred care.

However, let me go beyond that, because it is my and Ms Constance's expectation that we will use existing expenditure at health board, integration joint board and local authority levels to get this absolutely right. This is a joint project between all spheres of Government, in order to get it right for people. We will ensure that the investment is made properly, and, beyond that, we all need to work together to change cultures. That is why the HIS work is so important—in that regard, too.

Tess White (North East Scotland) (Con): I know from conversations with police officers in the north-east that they are often the stand-in for other services when someone is in crisis out of hours. That is starkly reflected in the Mental Welfare Commission's report, which quotes officers as saying that the police and ambulance services are the

"constant fall back for other services, when neither are the appropriate services to offer meaningful assistance beyond an assessment at A&E."

What immediate steps is the Scottish Government taking to ensure that people in crisis can be swiftly and reliably referred to the right help and interventions out of hours?

Kevin Stewart: Crisis intervention is one of the areas that are being looked at by the Drug Deaths Taskforce, and, beyond that, we have support on the ground at this moment. Let us take, for example, distress brief interventions. Ms White mentions the north-east of Scotland. In my city of Aberdeen, the distress brief intervention project is dealing with people in crisis daily, and, from talking to police officers in my patch, I know that that is making a real difference in taking pressure off them.

Beyond that, the member may well be aware of the pilots that we have going on with the Scottish Ambulance Service in the north-east of Scotland, including in Dundee, where there are quick interventions for people who have mental health crisis. Those things are already happening in many parts of the country. I am happy for Ms White to write to me or Ms Constance so that we can update her on all the actions that are being taken in the north-east corner of our country.

Emma Harper (South Scotland) (SNP): We are all aware that getting people into treatment and recovery that is right for them, at the right time, is at the core of the national mission to save and improve lives. Residential rehabilitation is one

of a wide range of options. Can the minister provide an update on plans to expand access to residential rehabilitation placements? I remind members that I am co-convener of the cross-party group on mental health.

Kevin Stewart: I welcome Emma Harper's question. Over the course of this parliamentary session, we are working to increase the overall residential rehabilitation capacity from 425 to 650 beds and to enable 1,000 people to receive statutory funding for their stay in residential rehabilitation. The Government has committed more than £23 million in funding for the development of projects by Phoenix Futures, River Garden, NHS Lothian and Aberlour. Investment in the four projects combined will provide a total increase of 85 beds by 2025-26, boosting the current rehab capacity in Scotland from 425 to 510 beds.

In addition, we have been working with alcohol and drug partnerships to aid the development of clear pathways into residential rehabilitation. The results of that can be seen in Public Health Scotland's most recent interim report—published on 27 September—which found that 218 statutorily funded residential rehab placements had been approved across Scotland between April and June 2022. That is an increase of 85 on the previous quarter.

Air Quality

2. Maurice Golden (North East Scotland) (Con): To ask the Scottish Government when it expects to meet air quality limit values, in light of the recent report from Environmental Standards Scotland. (S6T-00897)

The Minister for Environment and Land Reform (Màiri McAllan): Current data indicate that European Union limit and target values have been achieved across Scotland for all air quality pollutants, with the exception of six locations for nitrogen dioxide—three in North Lanarkshire, two in Glasgow and one in Edinburgh. The most recent assessment projections estimate that all those locations, bar one in North Lanarkshire, will be compliant during 2022 and that the remaining North Lanarkshire location will follow suit in 2023.

Maurice Golden: The report highlighted that monitoring guidance might not provide a comprehensive picture of air quality in our cities, especially around areas with vulnerable people, such as schools and hospitals. Does the minister agree that we should install air quality monitors at every Scottish school?

Màiri McAllan: Before moving on to the specifics of my answer, I note that I very much welcome Environmental Standards Scotland's report. Indeed, I welcome the fact that we were

able, with a great deal of work, including by my predecessor, Roseanna Cunningham, and Scottish Government officials, to ensure that Environmental Standards Scotland was set up and that there was no governance gap as a result of EU exit.

I am statutorily obliged to respond to the report within six months, which I will do. I will not pre-empt the response today, including on Maurice Golden's specific point, although it is a good one. I will bring the response back to the Parliament, but I make it clear that I absolutely welcome the recommendations and am committed to working with ESS to progress them.

Maurice Golden: The report concludes that current attempts to improve air quality are not enough, that the system contains significant weaknesses and that areas of non-compliance are likely to remain. I understand from the minister's answer that the Government will make a formal response to the report, but will she at least give us an assurance that those failures will be recognised, so that progress can be made?

Màiri McAllan: Our ambition is for Scotland to have the best air quality in Europe. We are working very hard with Scottish Government officials and our stakeholders across civic society to drive forward progress, but we are always alive to improvements that need to be made, including those that have been highlighted by Environmental Standards Scotland.

It is important to note that, over recent decades, there has been a significant reduction in pollution because of improved fuel quality, cleaner vehicles and an increased focus on sustainable transport. Between 2005 and 2019, which is the year for which we have the most recent statistics, nitrogen oxide emissions decreased by 53 per cent, fine particulate matter by 30 per cent and sulphur dioxide by 85 per cent. However, we are not complacent, and we will continue to work through the cleaner air for Scotland 2 strategy and on the recommendations of ESS in continuing to improve that.

Natalie Don (Renfrewshire North and West) (SNP): Will the minister give an indication of how the level of air quality in Scotland compares with that in the rest of the United Kingdom and with those in other parts of Europe? How will the Scottish Government deliver on its commitment to further improve air quality in Scotland?

Màiri McAllan: Compared with the rest of the UK—and, indeed with other parts of Europe—Scotland enjoys a very high level of air quality. Targets are being met across most of Scotland, and levels of the main air pollutants, including those that I mentioned in my previous answer,

have declined significantly in the past three decades.

The introduction of low-emission zones in our four largest cities as of May this year is a key initiative in further improving urban air quality, and we have committed to investing at least £320 million, or 10 per cent of the total active travel budget, in air quality improvement by 2024-25. That figure is almost triple what it is today.

Colin Smyth (South Scotland) (Lab): Although electric vehicles contribute to air pollution by producing brake and tyre dust, which means that we need fewer cars and not only cleaner ones, EVs do not emit nitrogen dioxide and so are part of the solution in improving air quality.

The Climate Change Committee estimates that we will need at least 30,000 public EV charging points in Scotland by 2030, but the Government's target is for just over 4,000 in the next few years. Given that only 395 public charging points were installed last year, when does the minister think that Scotland will reach the figure of 30,000 public EV charging points, which are desperately needed?

Màiri McAllan: I should allow my colleague the Minister for Transport to respond directly to questions about transport and about charging infrastructure as it relates to that.

Having said that, part of the cleaner air for Scotland 2 strategy is about recognising that air quality is a multifaceted issue that requires work to be done across Government. I am therefore working closely with the transport minister, as well as with planning and health colleagues. I will come back to the member with an estimate of when the roll-out of EV infrastructure will be where he thinks that it ought to be.

I draw members' attention to two key provisions for the link between transport and air quality. We have made commitments to reducing the number of car kilometres driven by 20 per cent by 2030 and to phasing out new petrol and diesel vehicles by the same date. Both actions will have significant impacts on air quality in Scotland.

Mark Ruskell (Mid Scotland and Fife) (Green): Lung conditions are the third leading cause of death in the UK, with more than 2,500 premature deaths per year in Scotland being attributed to air pollution. In that context, what action is the Scottish Government taking to ensure that local authorities are required to deliver robust and up-to-date air quality action plans with specified target dates?

Màiri McAllan: The Scottish Government and I are in no doubt that air pollution and physical health are closely connected, with the very young, older adults and those who have underlying health

conditions being most impacted. However, the relationship is complex. It is widely accepted that pollution has a negative impact on health, but we also know that the types of illnesses that air pollution exacerbates are also impacted by other factors, such as smoking.

On the member's direct point, as part of our cleaner air for Scotland strategy, we have committed to developing a more systematic approach to action plan production and implementation. That includes having standardised formats and methodologies for agreeing and setting the defined timescales for completing individual measures, for revoking air quality management areas and for reporting progress. We will also commission a review of air quality data collection and reporting in Scotland to identify any notable gaps in data provision, which will make recommendations on how to fill those. That is all part of our cleaner air for Scotland 2 strategy, which we are currently progressing.

The Presiding Officer: That concludes topical questions.

Cost of Living (Tenant Protection) (Scotland) Bill: Stage 1

The Presiding Officer (Alison Johnstone):

The next item of business is a debate on motion S6M-06178, in the name of Patrick Harvie, on the Cost of Living (Tenant Protection) (Scotland) Bill at stage 1. I remind members that I will put the question on the motion and the financial resolution immediately after the financial resolution has been moved. Members who wish to speak in the debate should press their request-to-speak buttons now.

14:39

The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights (Patrick Harvie): I am very pleased to open the debate on the introduction of the Scottish Government's Cost of Living (Tenant Protection) (Scotland) Bill. In doing so, I express my thanks to everyone in the Government who has worked so hard, at an extraordinary pace, to make that possible.

Almost a month ago, the First Minister launched this year's programme for government, which was published in the context of a severe cost crisis—one that poses a danger not only to livelihoods but to lives. At that time, perhaps we thought that it could not get much worse, but, thanks to the frankly astonishing actions of the United Kingdom Government in the past two weeks, it has. We should make no mistake: this has the makings of a humanitarian emergency. This Parliament does not have all the levers that we really need to fully tackle the crisis, but we are determined to do what we can with the powers that we have to protect those who need it most.

Tenants, on average, have lower household incomes and higher levels of poverty and are more vulnerable to economic shocks. Some 63 per cent of social rented households and 40 per cent of private rented households do not have enough in savings to cover even a month of income at the poverty line. That compares with 24 per cent of households that are buying with a mortgage and 9 per cent of households that own outright. Not many households will escape the cost crisis altogether, but tenants are much more exposed. That is why the bill will provide tenants in the private and social rented sectors, as well as those in college and university halls of residence and purpose-built student accommodation, with greater protection.

The UK Government's response to the energy crisis through the energy price guarantee falls far short of what is needed to protect people from severe financial hardship. We anticipate that, as a result, many more tenants will fall into fuel poverty

and extreme fuel poverty this winter. Tenants do not just need help with their housing and energy costs; they need to feel secure at home over the winter.

With that context in mind, the Cost of Living (Tenant Protection) (Scotland) Bill has three key aims: first, to protect tenants by stabilising their housing costs by freezing rents; secondly, to reduce impacts on the health and wellbeing of tenants caused by being evicted or made homeless; and thirdly, to reduce unlawful evictions.

In addition to those important measures to protect tenants, the Government recognises that not all landlords are in the same financial position, so we have included in the bill necessary safeguards that will give them flexibility where it is genuinely needed. The intention is for the provisions to last until at least 31 March next year.

Martin Whitfield (South Scotland) (Lab): One of the impact assessments that have rightly been published is the child rights and wellbeing impact assessment, which mentions the particular impact of the cost of living crisis on our young people. Is the minister confident that the document also considers those people who are children—that is, under the age of 18—but who are tenants through their position at university or in higher education, given that they are still young people? The United Nations Convention on the Rights of the Child is not on the statute book yet, but the intention is to support the protections therein.

Patrick Harvie: The impact assessment aims to capture those points, but I will perhaps take the opportunity, if I can, to address that in my closing speech.

I will now go through the provisions in some detail, starting with the rent freeze.

The bill will allow Scottish ministers to set a cap on the level of increase in rents, which will initially be set at zero per cent until 31 March 2023. Under the proposals, ministers will take powers to vary the cap, which will operate separately for the social and private rented sectors. Students in college and university halls and PBSA will also be protected through a zero per cent cap, ensuring that there will be no mid-tenancy rent increases. That will apply to all rent increase notices that are served on or after 6 September 2022.

As I said, we recognise that the cost crisis is also impacting on some landlords. Although the primary purpose of the legislation is about protecting tenants, it is also important to ensure that it reflects landlords' circumstances. Private landlords will be able to make an application to increase rent for limited prescribed and legitimate costs associated with offering the property for rent where those costs have increased. The increase

may be for up to 50 per cent of those costs and no more than 3 per cent of the existing rent. Those percentages may be varied if circumstances justify it.

Roz McCall (Mid Scotland and Fife) (Con): I thank the minister for allowing me to make my first intervention. I am sure that, as a Glasgow MSP, Mr Harvie will be aware that the mere mention of the bill has seen a significant contraction in the size of the rental market, which is directly affecting students, especially at the University of Glasgow, where people have been reported as being instructed not to even enrol if they cannot find accommodation.

Does the minister agree that the real impact of the proposals will be to make it harder for students to rent flats, which will create another barrier to Scotland's deprived young people from disadvantaged backgrounds attaining a university education?

Patrick Harvie: I welcome Roz McCall to the chamber—I have not had the chance to say that on the record. However, I strongly disagree with her suggestion that the situation that is faced by students—particularly by the new intake of students in Glasgow and Edinburgh—is a response to the bill. There is no connection.

I mentioned the private rented sector. There are critical differences between the private and social rented sectors. For social landlords, there are already requirements about how rents are consulted on and agreed, and tenant participation and consultation in rent setting is a valuable part of our current system. Social landlords are not-for-profit bodies. Their rents are channelled back into the quality of homes, services for tenants and public investment in housing. That is why we are working in partnership with the social rented sector to consider the implications of any use of the rent measures after 31 March.

I told Parliament last week and emphasise again now that no decision has been made about any use of the measures after March. Any such decision will be informed by dialogue with the sector.

Liam Kerr (North East Scotland) (Con): Will the minister take an intervention?

Katy Clark (West Scotland) (Lab): On that point—

Miles Briggs *rose*—

Patrick Harvie: I will take an intervention from Katy Clark and will try to come to Miles Briggs later.

Katy Clark: When it comes to what happens after 31 March, is the minister giving consideration to whether it might be possible to get rent control

legislation and a temporary scheme in place more speedily, even if that was done through temporary emergency legislation? Could it be done in months rather than years?

Patrick Harvie: We are working at pace to get this legislation in place within weeks, and we are working in close dialogue with the social rented sector. Already, good and creative ideas are coming forward about how we will work together with the sector.

The provisions on evictions prevent the enforcement of eviction action in the private and social rented sectors, and in college and university halls and PBSA, except in a number of specified circumstances.

Jeremy Balfour (Lothian) (Con): Will the minister take an intervention on that point?

Patrick Harvie: I will make a little progress on eviction measures and will let members in in a moment or two.

Again, it is vital that the emergency legislation reflects a range of circumstances that tenants and landlords face, and ensures that responsible landlords continue to offer properties in the private rented sector.

In recognition of those factors, as was the case with the eviction measures in the coronavirus legislation, we have allowed for a number of exemptions from the moratorium. Those are a mixture of existing eviction grounds and new temporary grounds for eviction that we have developed. They include allowing evictions in cases of criminal or antisocial behaviour, to protect other tenants and neighbours from behaviour that can have a hugely damaging impact on communities; in cases in which a tenant has abandoned a property; in cases of repossession by lenders, to ensure continued lender confidence in the sector; and in cases in which a landlord intends to sell or live in the property specifically in order to alleviate financial hardship or to prevent their own homelessness. Those last two grounds are new. In effect, they are versions of existing grounds but have the important caveat that financial hardship must be demonstrated. We will work with the First-tier Tribunal for Scotland to support the implementation of that.

I invite Mr Balfour to come in.

Jeremy Balfour: I ask the minister to clarify the situation for me. If university students do not pay their rent but cannot be evicted, the normal process is that they are not allowed to sit their exams and go on to the following year. Does the legislation supersede that, or would universities still have the right to prevent people from sitting exams and going on to another year if they do not pay their rent?

Patrick Harvie: I am aware that concerns have been expressed that some tenants—a minority, it should be suggested—might be tempted to stop paying rent even if they can afford it. I move on to the additional ground for eviction that we are exempting from the moratorium. We have taken the view that, both in the social and the private rented sectors, eviction may still take place in cases in which there are substantial rent arrears. I will lay that out in a little more detail, because I know that some members have concerns about it. For the private rented sector, that means a total value of six or more months' worth of rent arrears. For the social rented sector, it means rent arrears of £2,250 or more, which is around six months' worth of average rent in the social rented sector.

The decision on that has not been an easy one, but, having considered it at length, I am firmly of the view that the provision will act as a safeguard for landlords and tenants. It will allay the concern that a minority of tenants might stop paying rent even when they can afford it. On-going substantial rent arrears can mean that a landlord can find it increasingly difficult to offer a property for rent, especially where no rent has been paid for a prolonged period.

In addition, for a tenant facing unsustainable rent arrears, prolonging the situation will only increase their debt and financial insecurity and it can trap them with debt that they will never be able to service. The protection that a tenant in such circumstances needs is different. They need direct support, and we are making support available through discretionary housing payments and the tenant grant fund, which was introduced in recent years and has since been made more flexible, to allow it to be used for more recently accrued arrears that are not related to Covid.

Miles Briggs (Lothian) (Con): The money that the tenant grant fund issues is a loan. Do ministers intend to provide that as a grant that would not be paid back?

Patrick Harvie: Originally, under the initial coronavirus measures, there was a tenant hardship loan fund. There is now a tenant grant fund. That has been the case for some time.

Liam Kerr: Will the member take an intervention?

Patrick Harvie: I am going to have to move on, I am afraid. I have taken a number of interventions.

As a result of changes that Parliament approved back in June, any eviction for rent arrears already has to take into account all the circumstances of both landlord and tenant that are judged to be reasonable by the tribunal or court, and it must be demonstrated that steps have been taken to help tenants to manage or reduce arrears.

The bill includes a provision to ensure that the restriction on the enforcement of an eviction order applies only for a maximum of six months from when the order was issued. That applies to individual cases and is separate from the consideration of whether the moratorium on evictions is extended beyond 31 March.

The restrictions will apply to all eviction orders granted in proceedings raised after the moratorium comes into force and will also apply to proceedings raised before the bill comes into force where the eviction notice was served after 6 September. It will not apply to eviction orders granted in proceedings raised before 6 September. Our aim here is to ensure that no one is evicted in a case started after, or in response to, the announcement of our intention to introduce an emergency rent freeze.

We know that many private landlords are professional and supported their tenants during the pandemic, but we cannot ignore the fact that a small minority will try to circumvent the new protections, including by trying to unfairly bring existing tenancies to an end. That is an affront both to tenants and to those landlords who follow the rules.

That is why the bill makes some vitally important changes to the way in which civil damages can be awarded for unlawful eviction, making it more attractive for tenants to challenge an unlawful eviction and receive appropriate damages where one has occurred. The provisions introduced in the bill replace the basis for the assessment of damages that the tribunal or court can award to a minimum of three times and a maximum of 36 times the monthly rent, though there will be discretion to award a lower amount if that is appropriate. In addition, the legislation will create reporting requirements where a landlord has been found to have unlawfully evicted a tenant. That will act as a strong disincentive to those unethical landlords who would seek to avoid going through the proper legal process.

The part of the bill that deals with rent adjudication looks ahead to a time when, we hope, we will be entering recovery from the cost crisis and are therefore intending to support transition out of the emergency measures. A big concern is that the lifting of the restrictions could lead to a large number of landlords seeking to increase their rent all at once. Returning to open market rent could result in significant and unmanageable rent increases for tenants and a volatile market. In those circumstances, the existing rent adjudication process would not provide an effective mechanism for determining a reasonable rent increase. The bill therefore contains a regulation-making power to temporarily reform the rent adjudication process to support transition out of the emergency

measures and mitigate any unintended consequences from the ending of the cap.

Liam Kerr: Will the member give way?

Patrick Harvie: I am afraid that I need to finish up in the next minute or two.

The power will be subject to affirmative procedure, ensuring that appropriate parliamentary scrutiny is given to the necessity for any temporary changes proposed.

Finally, on the general provisions, we are seeking to commence the bill the day after it receives royal assent. We propose the flexibility to extend the provisions in part 1 for two subsequent six-month periods, if the Parliament agrees, and that the powers in part 3 on rent adjudication will expire at the end of March 2024, with the option of extending them by periods of up to one year. There will be powers to suspend and revive the provisions in part 1 and powers to expire those provisions earlier than 31 March. Similar to the coronavirus legislation, there will be a requirement to review and report on the necessity and proportionality of the provisions in part 1, and ministers will be required to bring forward regulations to suspend or expire any provision that is no longer appropriate.

In conclusion, we are bringing forward the emergency legislation in recognition of the fact that people who rent their homes are—right now—being hit the hardest by an extraordinary cost crisis. The bill's primary purpose is to provide the protection that is necessary for tenants while also recognising the circumstances of landlords. The bill significantly strengthens the protection against unwarranted rent rises and eviction, it sends a strong signal to landlords about the damages that can be awarded for unlawful eviction and it provides a bridge into the longer-term reforms that I set out in the new deal for tenants last December.

The safeguards in the bill provide a total package of fair and robust measures. This is a Government that is confronting the cost crisis head-on; a Government that is giving people stability in their homes and assurance about their rents—in sharp contrast with those who want to cut taxes for the wealthiest and let bankers' bonuses soar.

The Presiding Officer: Please conclude, Mr Harvie.

Patrick Harvie: The bill demonstrates our determination to use all the powers that we have to protect the people of Scotland from the harshest of times. Let us hope that all members of the Parliament will do what is necessary to support tenants.

I move,

That the Parliament agrees to the general principles of the Cost of Living (Tenant Protection) (Scotland) Bill.

14:56

Miles Briggs (Lothian) (Con): From the outset of the debate and during the passage of the bill through the Parliament, I recognise that the Scottish Government's intention is to look at how best we can support tenants during the cost of living crisis. After the unprecedented help for energy bills that is being provided by the UK Government, people across Scotland are, rightly, looking to both of Scotland's Governments for support to assist individuals and families through a difficult period. However, the bill will do little to increase the incomes of most social housing and private tenants; instead, it will threaten the Scottish Government's ambitions on affordable house building and climate change, as well as the ability of housing associations and private landlords to provide their tenants with the targeted support that is required during difficult times.

Members on the Conservative benches would have welcomed the opportunity to discuss workable policies with the Scottish Government; however, a 15-minute meeting with the minister after the bill was published and the use of the emergency legislation process to railroad the bill through Parliament have not presented that opportunity. Most people in the sector will find that that will have a negative impact going forward. Private and social landlords should have been brought around the table to discuss policies on, for example, rent stabilisation and the further use and development of the tenants charter. Instead, they have been left in the dark and now face an uncertain future, given the significant unintended consequences that the bill presents.

Patrick Harvie: I am sure that the member will appreciate that, although many landlords would not have behaved in this way, if the information had come out that we were intending to introduce a rent freeze and we had consulted on the proposal, a great number would have gone for an immediate increase of as much as they could have got away with. Surely the member is aware of his constituents seeking 10, 20, 30 or 40 per cent rent increases. We should not have decided to introduce the rent freeze in a way that would have exacerbated that problem.

Miles Briggs: I am not sure that the minister understands his own bill, because it is backdated to September and the extensions that he has outlined mean that there is the potential for the provisions to last up to 18 months. The minister probably needs to rethink that.

The Scottish housing market is complex, especially in the capital. We all rely on the mixed housing market to provide the homes that

Scotland needs now and in the future. The decision by SNP-Green ministers has been made without any consultation with the sector, and it will have consequences.

In Scotland, we have never had Government rent controls in the social housing sector. Rightly, housing associations are independent organisations that have been able to set rents each year, taking into account tenant feedback, affordability and the resources that are required to invest in maintaining properties and buildings, as well as building much-needed homes, which the Government has also failed to achieve.

The bill's impact is, therefore, worrying, as the bill goes against the historical position and brings in the possibility of wider rent controls for the sector, the shattering of confidence to invest in new affordable homebuilding programmes and the real prospect of private landlords removing private rented properties from the market in the coming years.

For housing associations and private landlords, the bill presents a risk of hundreds of millions of pounds of lost income. It might require them to rewrite their future business plans and scrap investment in new affordable home builds, and it will undermine budget simulations for energy efficiency and decarbonisation for net zero—both key Government targets and the minister's specific responsibility—which will be impacted.

The bill has already significantly impacted the potential delivery of new homes in Scotland; it will be much harder for housing associations to plan, if they are able to do so. Lenders might be nervous about lending, or they might lend at higher margins as confidence over future rental income decreases.

The bill introduces a risk that has not previously existed in Scotland—historically, we have had lower rents. It will undoubtedly trigger a slowing down of the building and construction of affordable homes and it could trigger a wider downturn in the construction industry at the worst possible time for our economy.

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): Does Miles Briggs think that the rise in interest rates, which is a direct effect of his Government's mini-budget, which has set mortgage rates spiralling, might have an impact on landlords in the social and private rented sectors and on their investment and business plans?

Miles Briggs: The cabinet secretary needs to look at inflation across the eurozone.

More specifically, just a few months ago, both the minister and the cabinet secretary—*[Interruption.]*

The Deputy Presiding Officer (Liam McArthur): Could you resume your seat for a second, Mr Briggs? We have a bit of time, so anybody who wants to make an intervention should stand up and ask to do so rather than holler across the chamber. I will give you the time back, Mr Briggs.

Miles Briggs: Just a few months ago, Scottish National Party and Green ministers—including the minister and cabinet secretary who are sitting on the front bench—described Scottish Labour's proposals around rent freeze schemes as “unworkable” and said that those schemes would “heighten the risk of eviction”

for tenants. The bill will introduce opportunities that could lead to that situation, so that is where ministers need to be clear. Let us consider Ireland, where a similar policy has resulted in a 30 per cent increase in homelessness.

We have already seen, and continue to see, a record number of people living in temporary accommodation in Edinburgh and across Scotland. The bill has the potential to supercharge the housing crisis, with fewer private tenancies being made available, fewer new affordable homes being built and the ripping up of the very tenants rights framework that we are told ministers want to see protect tenants. For example, the circumventing of local authority rent-setting processes will override not only the statutory responsibilities of elected members but the local processes that are currently in place to allow tenants to have a constructive opportunity to have their say in rent setting and negotiations.

There is growing concern in the housing sector around the unintended consequences of the bill, and I hope that the minister heard it during this morning's committee meeting. We have already seen the impacts on students, as members have outlined, with both the University of Glasgow and the University of Stirling telling students not to matriculate unless they have secured accommodation. One of the key aspects of the bill is its unintended consequences.

Shona Robison: How can Miles Briggs try to link the issues around student accommodation, which happened last year and the year previously, with the bill? No one knew anything about the bill at that time. The bill has absolutely nothing to do with those issues and it is ridiculous that Miles Briggs would link the two points.

Miles Briggs: The key point is that the bill will make the situation worse. The cabinet secretary and her Government have presided over 15 years of this housing crisis, and the bill will supercharge it. In the years to come, the situation can only get worse for students if fewer rented properties are

available, which will clearly be the impact of the bill.

What we have already seen from this SNP-Green Government is that it is likely to use its majority in Parliament to push the legislation through without listening to genuine concerns or accepting amendments.

Scottish Conservatives will look to bring common sense and safeguards to the bill. We will ask that the concerns of key sectors, such as social and charitable housing associations, are reflected in the bill—that is vitally important. We also want to see additional resources for tribunals, which will now be tasked with extra work.

It is critical that there is incorporation of robust planning and monitoring of the potential negative impacts of the bill—the minister did not really outline that in any detail.

It is unclear for how long ministers intend to freeze rents or keep rent controls in place, beyond what the First Minister described in relation to 31 March. We need to see a time limit put in place. What mitigation measures will be provided for social and private landlords?

The process through which the bill has been introduced has been unacceptable, flawed and designed to bypass any independent scrutiny that the Parliament could bring to bear. The very organisations that the bill will impact have also not been part of the conversation. SNP, Green and Labour MSPs are about to use Scotland as a guinea pig. They are about to undermine the foundations of Scotland's housing market.

International rent control schemes demonstrate the negative impact that rent controls can have and suggest the long-term negative consequences for our Scottish mixed housing market. We know how this will end: fewer private lets, a slump in building affordable homes, increased rents for future tenants and students unable to secure vital accommodation in order to study at university.

SNP, Green and Labour MSPs will be directly to blame for the significant damage done to our housing sector. The greater housing crisis that will come from this will be at their desks. I hope that they will make sure that the people of Scotland hold them accountable for their actions.

15:06

Mark Griffin (Central Scotland) (Lab): I draw members' attention to my entry in the register of members' interests, which shows that I am the owner of a rental property in the North Lanarkshire Council area.

Labour will be supporting the emergency legislation this week. We want to see the rent

freeze and moratorium on evictions on the statute books without delay. In fact, we wanted to see that months ago. When we called for emergency legislation in the summer, we did so because we know that the Government has the powers to help people who are battling with living costs. Even if it has taken months to get to this point, we welcome the change of heart in the SNP-Green Government.

It goes without saying that thousands upon thousands of people will struggle to heat their homes or keep a roof over their heads this winter. People who previously were just managing will find themselves pushed to the brink with repeated financial shocks. We are in extraordinary times, made worse by the economic chaos unleashed by Tories after the bill was announced. That chaos will make winter longer and harder than any of us expected. The blame for the sky-high interest rates that are pushing up people's bills is at the door of the Conservatives. Food bills, heating bills, fuel costs and rents keep going in one direction, and that is up.

Liam Kerr: I remind members that, like Mark Griffin, I own a rental property.

The member talks about heating over the winter. The fabric and structure of housing is going to be key to heating and people's health and wellbeing, as the minister talked about earlier. One housing association wrote to me to say that a rent freeze will mean that housing associations will have to cut back on improvement and maintenance programmes. How does the member suggest that housing associations raise the money to keep those programmes going?

Mark Griffin: If the member has listened to my speeches in the Parliament over the past six months, he will have heard me repeatedly calling on the Government to insulate as many homes as possible before the winter. Housing associations have said that they are able to manage the current programmes up to 31 March and Scottish Labour will be lodging an amendment to ensure that additional funding is provided for social landlords if the freeze continues beyond that date, to provide tenants and housing associations with assurance that no capital investment programmes will be affected. I look forward to the member supporting that amendment.

Miles Briggs: Will the member take an intervention?

Mark Griffin: I would like to make a bit of progress.

My colleague Mercedes Villalba made the case for an immediate rent freeze before the summer recess. Even then, that was the only solution that could offer tenants temporary respite from the crisis, which is currently escalating. At the time, it

seemed as though the Government did not want to listen to the evidence. Had it backed the proposals back in June, the rent freeze could have been in place months ago. Indeed, had members of the Government backed Pauline McNeill's bill in the previous session, we could have seen the provision of far more support for Scotland's tenants.

In May, Citizens Advice Scotland reported that concerns around landlords increasing rent were now eight times higher than they were at the start of the pandemic. In June, the Office for National Statistics reported that private rental prices were growing at their fastest rate since 2012. During the passage of the Coronavirus (Recovery and Reform) (Scotland) Bill, Mercedes Villalba told members of the COVID-19 Recovery Committee what members of Living Rent were reporting. For example, a tenant whose landlord had increased their rent by £300 with no reason given was forced to leave. Another landlord decided that he could raise a tenant's rent by £100 to £900, just by having a look at the average rents on the street. The landlord of another tenant, who had a pregnant wife and was living in a top-floor flat with nicotine-saturated carpets, increased their rent by £150 because he

"could not be expected to stand still while the market moves on".—[*Official Report, COVID-19 Recovery Committee*, 9 June 2022; c 93.]

We are talking about people's homes.

Edward Mountain (Highlands and Islands)

(Con): I advise members that I, too, have rental properties.

Under the Rent (Scotland) Act 1984, the Housing (Scotland) Act 1988 and the Private Housing (Tenancies) (Scotland) Act 2016, every tenant can appeal a rent rise. It would have been much simpler if the Government had given a determination that no fair rents would be set until the bill that is before us had been consulted on, which would have meant that it would not have required to be emergency legislation. Does Mark Griffin agree with me that such a determination would have been a better way of resolving the situation and of giving the Parliament time to discuss this really important issue?

The Deputy Presiding Officer: Mr Griffin, I can give you the time back for both of those interventions.

Mark Griffin: Thank you, Presiding Officer.

That proposal holds merit but, rather than limiting the rent rise that tenants might experience at this extremely difficult time, I think that a rent rise of zero per cent would be far better for Scotland's tenants than any rise at all and would support people through the winter. That is why Scottish Labour called for it months and months

ago, but the Government was ready to turn a blind eye to such calls. Back then, we heard the usual excuses from ministers and members of the Government that amendments were not competent or would be subject to legal challenge, that the Government had not consulted on them or that they would, in fact, push up rents. The Government advanced those excuses months ago to dismiss Labour's campaign for a rent freeze, but they now seem to be accepted although they are absolute nonsense.

Patrick Harvie: To put this in the kindest possible tone, surely the member can see some slight differences between what was proposed as an amendment to the Coronavirus (Recovery and Reform) (Scotland) Bill, which was a blanket two-year rent freeze with very little legal justification, and the much more substantive, well-worked-up proposal that is before the chamber this week?

Mark Griffin: The justification for it was the severe hardship that tenants were and are facing, which is why the Government has acted, so it seems as though the moves that Labour made were justified.

However, my remark was an opening point in the debate and an invitation to the Government to get round the table and discuss how we might seriously implement such measures. Instead of just pooh-poohing the idea and then coming back months later to claim it as its own, it could have worked constructively and included my colleague Mercedes Villalba in the whole process, and then everyone would have been a lot better placed.

It has taken a month for tenants to have sight of the detail. We will continue to scrutinise the content of the bill to ensure that there is flexibility to deal with the crisis in the long term, while guarding against any potential unintended consequences. There remains a threat of more unmanageable arrears and homelessness after the moratorium ends. It is not a feature of the bill, but we urge the Government to renew the tenant grant funding urgently. I also welcome provisions to review and report on measures and for the Parliament then to come back and agree either to extend or to end those powers.

Likewise, new verification processes and protections against evictions are badly needed. Communication about the cap, the moratorium and the right to those protections is key. In May, RentBetter reported that there is a lack of confidence and, some would say, a fear about residents exercising their rights due to the potential repercussions of rent increases or losing their homes. Labour will draft an amendment to put a duty on the Government to write to all registered landlords and tenanted properties to provide advice and information about the

provisions. I look forward to sharing that with the Government and discussing it.

However, it remains a fact that rents will continue to rise between tenancies at what look like increasingly higher rates and that rents will rise in tenancies until 5 December. There is a contrast in respect of what the First Minister said in her statement in the programme for government. I think that she said that the practical effect of her statement was that rents would be frozen immediately. There is a gap between that rhetoric and what will happen in practice. Rents will not be frozen until 5 December due to notices issued in advance of 6 September still having a three-month notice period. That is confirmed by the policy memorandum.

In closing, I want to highlight what the social sector, including the Scottish Federation of Housing Associations, the Convention of Scottish Local Authorities, local housing conveners and housing associations, has alerted the committee and parliamentarians to: the risk of a freeze next year to the affordable house-building delivery and maintenance programmes. Last week, I visited tenants and staff at Abrohill Housing Association's new Aspen Place development. We need to see many tens of thousands more new and warm affordable homes. Those people told me about the financial implications of a rent freeze for next year. Upwards of £100,000 being lost from the business would mean cancelling all investment plans for 2023-24 and 2024-25. Those plans are worth nearly £400,000, including kitchens, bathrooms and heating upgrades.

Given that seven in 10 social tenants receive housing benefit or universal credit, the majority of social tenants will not benefit from a freeze but will lose out from a lack of investment in their homes. Where rent is paid by the United Kingdom Government, so are the increases. Modelling on a 3 per cent rent rise for next year would mean that £30 million would be lost to the housing sector and would go back to the UK Treasury.

The regulator puts the cost to the whole sector at £50 million, rising to £230 million by March 2027. It is clear that that would put at risk the 110,000 affordable homes and all the other measures that we would like to see as part of those investment programmes. Would ministers be able to fill that black hole if they were to continue the rent freeze into the following year?

The bill is not a panacea or a long-term solution. For that, housing policy in Scotland needs fundamental reform. We need to build far more houses. Although the bill is very welcome in the short term, it should not get in the way of that.

15:18

Willie Rennie (North East Fife) (LD): It is right for the Government to take emergency steps in an emergency, and this is certainly an emergency. The cost of living pressures are extraordinary, and they have been exacerbated by a reckless Conservative Government.

However, I want to make an appeal to the minister. We will support the bill at stage 1, but we are opposed to the inclusion of social rented properties in the rent freeze, and we are concerned about the inclusion of mid-market rental properties. Those homes are already subject to a form of rent control, so it would not be right to impose another set of controls with a freeze. That would undermine the fine judgments of housing associations, councils and charities in setting those rents. Those fine judgments mean that social rents are around half those in the private sector, and they fund proper maintenance and house-building programmes. They enable councils, housing associations and charities to modernise the homes, make them more energy efficient, meet their climate change obligations and build new properties for the thousands of people who are desperate for a home. Those fine judgments also allow for targeted funds to be available to help those who are struggling to pay their rent. Let us not undermine all those fine judgments, which have worked well for decades. Let us stick with what works.

Well over half of all properties in the social sector are occupied by tenants who pay their rent through universal credit. In Cairn Housing Association, the figure is 60 per cent, and in Kingdom Housing Association, it is 70 per cent. Those people will not benefit from a rent freeze. There will not be any more money in their pockets; the Treasury keeps the money, depriving the Scottish economy of important revenue and undermining house-building programmes.

With targeted support and universal credit rental payments, is the rent freeze for the social and mid-market sector worth it when it could undermine house-building, maintenance and climate change programmes?

Patrick Harvie: During the debate, the member will have heard me make it clear two or three times now that we have not yet made decisions about what will happen after 31 March. In the period before then, there is no direct impact on rental income for social housing. Does he accept that we are working in good faith and are already having constructive dialogue with the social housing sector to understand all the important issues that he raises?

The Deputy Presiding Officer: I can give Willie Rennie the time back.

Willie Rennie: I accept what the minister says, but there is a point of principle here about how rents are set. For generations, rents in the social sector have been set through partnership working between tenants and their landlords. That has worked well and has delivered rents that are half what they are in the private sector. Given all the other negative impacts and the universal credit and special, targeted payments, I do not understand why we seek to undermine that process, even though cost of living pressures are involved.

Patrick Harvie's point that the rent freeze will not impact the sector until after March—he has not made any decisions about that either—leads to uncertainty in the sector about how it will project forward its house-building programmes for the next 20 or 30 years. Even if the freeze is for only six months, it will interrupt that flow of decision making. It will apply for six months, but it may last for much longer; the minister has not ruled that out. I accept that he is talking to the sector, but we do not know absolutely that there will not be controls after March next year. How can housing bodies plan for the future when it is unclear what Government policy will be?

There must be a more stable policy environment if housing decision makers are to reach the best possible conclusions. The uncertainty also limits the ability of councils, charities and housing associations to have meaningful discussions about rent levels after 31 March and utilise their well-tried tenant consultation processes.

I know that the minister has indicated that consultation, debate and discussion can be had, but how can we have a discussion when we do not know whether we will be under a rent freeze after 31 March? The minister indicates that discussions can be had, but they will be very limited.

Let us look at what the housing associations have told us. Cairn Housing Association states that it is

“already making decisions to significantly reduce our planned investment programme of improvements to tenants' homes. This will mean fewer new kitchens, fewer new bathrooms and reduced programmes of windows and roofing works. We are also now having to consider postponing or cancelling major planned modernisation projects such as major renovation of sheltered retirement schemes.”

Cairn is a registered social landlord and a not-for-profit charity. It grew out of the Royal British Legion's housing arm in 1989. They are good people with a social conscience, so why are we trying to fix them? Cairn goes on to state:

“We are in the middle of delivering a 500 new home programme. As a direct result of the rent freeze announcement, we are actively considering postponing or cancelling a number of newbuild schemes to protect our cash position.”

It cannot be right that Cairn is considering cancelling its new-build programme.

I sense a real anxiety in the social sector, despite the positive discussions that the minister has had. Kingdom Housing Association, which is in my area, states:

“The impact of a rent freeze, or rent cap, will remove our ability to financially manage our business plans and will have an impact through unintended consequences related to: a reduction in our provision of new homes, the deferral of planned maintenance works, restrictions on our ability to provide enhanced net zero and innovation investment and most importantly result in a potential reduction in service delivery standards to tenants and removal of the enhanced added value services we provide.”

It cannot be right that good housing associations such as Kingdom Housing Association are even considering such measures.

I hope, therefore, that, in tomorrow's stage 2 proceedings, the minister will be open to the amendments that I will lodge. Those will provide a number of different opportunities for him to recognise that the social, charity and local authority sectors are different. Those regimes already have in place a form of rent control, their systems are tried and tested and they have rents that are half those in the private sector. I simply do not understand why they are being lumped in with this process.

I hope that the minister will be open to considering my amendments, and that we end up with a bill that works and that supports the people who are desperate for help at this time. In that way, we can ensure that we deal with the cost of living crisis, rather than undermine the good work that housing associations, councils and charities have done for a long time.

15:25

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Today, we see clear evidence that our Parliament can act quickly during a time when the cost of living is spiralling to bring about protections for those who rent their homes. Inaction in another place should not be replicated here, and good ideas across political lines can and should be embraced where possible, as we should collectively aim to make the lives of those who live in Scotland better.

I spent years working in and around the housing and homelessness sectors. Among the jargon, the spreadsheets, the housing revenue accounts and the bureaucracy, the people—the tenants—can often be forgotten. The pandemic and now the cost crisis have brought people back into sharp focus.

During the height of the pandemic, I was still a councillor and COSLA's housing spokesperson.

We saw a surge in action to get people into accommodation, to prevent evictions and to mobilise the entire sector to work collectively to ensure that people and communities were safe from the clear and present danger. We need to see the cost of living crisis in the same light as the pandemic: it is a clear and present danger to wellbeing.

Jeremy Balfour: Will the member give way?

Elena Whitham: Yes, I will. I am having a menopausal moment, but I will try to deal with that as best I can.

Jeremy Balfour: I am confident that the member will deal with that very well.

What advice would the member give to a landlord whose mortgage costs will increase over the next six months? How will he pay for his mortgage? Will we simply end up with people being evicted because their landlord cannot afford to pay their mortgage?

Elena Whitham: I thank Jeremy Balfour for that intervention, as it allows me to turn the focus back on to why we have spiralling inflation, with mortgage costs hitting a point at which it might not be sustainable for some landlords to continue. There is provision in the bill for landlords who face being unable to afford such increases. We can see from those protections that the Government has listened to the private landlord sector.

People are experiencing a contraction in their income the likes of which most have never experienced before. Many of us came through the financial crash of 2008, but at that point our food and energy bills did not skyrocket to the alarming extent that we see now, and our incomes had yet to suffer a decade of austerity at that point.

We know that those who rent their property spend a disproportionately large part of their income on rent and have lower incomes overall. Those who are in the private rented sector spend a significantly higher percentage of their income on rent. The cost can be much higher if the local housing allowance does not cover all their housing costs due to local pressures, meaning that they will be required to use some of their universal credit towards rent. If we add that to the disproportionately large increase to the living costs of those with limited incomes, we can see an impending crisis over the winter months.

Liam Kerr: Will the member give way?

Elena Whitham: I will take one more intervention.

Liam Kerr: I respect the member's experience in the housing sector. Throughout the process, we have seen evidence from places where rent freezes have been tried that suggests that the

policy can create housing shortages. Does the member have any evidence to suggest that the experience would be any different in Scotland?

The Deputy Presiding Officer: I can give Elena Whitham back her time.

Elena Whitham: Thank you very much, Presiding Officer.

We can always cherry pick the evidence. We must look more widely than at our immediate neighbours. A lot of places on the continent of Europe have quite stringent rent controls and a really buoyant private rented sector. We cannot just choose the evidence that suits our narrative. I urge the member to look into that in his own time.

Social justice and anti-poverty campaigner Jack Monroe, the bootstrap cook, drew attention to author Terry Pratchett's concept of the boots theory of socioeconomic unfairness according to Discworld character Sam Vimes. Pratchett wrote:

"The reason that the rich were so rich, Vimes reasoned, was because they managed to spend less money ... Take boots, for example ... A really good pair of leather boots cost fifty dollars. But an affordable pair of boots, which were sort of OK for a season or two and then leaked like hell when the cardboard gave out, cost about ten dollars."

Someone

"who could afford fifty dollars had a pair of boots that'd still be keeping"

their

"feet dry in ten years' time, while a poor"

person

"who could only afford cheap boots would have spent a hundred dollars on boots in the same time and would still have wet feet."

With rent increases in the private rented sector of up to 40 per cent in the recent past, the feet of Scottish tenants are wringing. That evaluation of socioeconomic unfairness is hugely pertinent today as we see our most vulnerable bear the brunt of austerity and, frankly, economically illiterate fiscal events in another place. That is why it is right that we have a bill before us today that seeks to place a cap on rent increases at zero per cent and that re-introduces a moratorium on evictions until the end of March 2023.

Folk with the least are paying the most, as a percentage of their income, for essentials. Women, people with disabilities and people from black and minority ethnic communities are facing the starkest of choices, and it is incumbent on us in this place to ensure that they do not face rent increases that could lead to homelessness during a cost of living crisis—that would be a humanitarian crisis in every community.

Although the Scottish Government does not have control over energy policy or inflation, it has,

with a largely limited budget, sought to mitigate the worst effects of the situation to the tune of £3 billion every year.

Pam Duncan-Glancy (Glasgow) (Lab): Will the member take an intervention?

The Deputy Presiding Officer: The member is just winding up.

Elena Whitham: The combination of the emergency measures with increases to the tenant grant fund and discretionary housing payments, and flexibilities to allow cost of living and fuel poverty issues to be considered, means that there is support for people who cannot afford to cover all their housing costs at this time. It is vital that those funds, as well as the Scottish welfare fund, are publicised and maximised at every opportunity. I welcome Mark Griffin's suggestion that we write to all registered social landlords to ensure that they do that.

With regard to the proportionate measures that have been set out to protect landlords facing financial difficulties, I ask that we work to ensure that, when a landlord needs to sell their property, they are supported to do so with a sitting tenant and that, if appropriate, local authorities or registered social landlords consider buying back as many of those properties as they are able to. That would also protect tenants by allowing them to continue to live in their home without disruption.

Housing is about much more than bricks and mortar. It is about feeling safe and secure. It is about wellbeing and warmth. I look forward to the substantive housing bill to come, but, in this immediate emergency situation, I urge members to support this bill.

15:33

Stephen Kerr (Central Scotland) (Con): Whatever the intentions of the bill, it is very hard to escape the conclusion that this is SNP-Green grandstanding. The SNP-Green coalition Government is treating the Parliament with contempt for the sake of a headline. The bill will create homelessness, it is reckless, and it is certainly not an example of evidence-led policy. Any truncation of the legislative process is bound to mean that scrutiny will not be what it should be, especially given the consequences that will flow from the enactment of this flawed bill.

Mark the warnings of the expert voices in the sector, which could not be clearer. I cannot help but believe that, deep down, the more thoughtful SNP and Labour members know that the grave concerns that have been raised by the sector are well grounded, as demonstrated by the evidence that Willie Rennie cited from the Cairn Housing Association.

Patrick Harvie: The member mentions experts in the sector. Does he accept that tenants are experts in how the rented sector works and that tenant organisations have been crying out for the legislation?

Stephen Kerr: Of course I accept that tenants are a very important part of the rental housing market, but we should listen to what is being said about the consequences that will flow from this flawed bill.

Michelle Thomson (Falkirk East) (SNP): Given what the member said about the consequences of flawed measures and lack of scrutiny, does he now regret the rush of blood to the head by his Tory chancellor and the impact that that has had on costs for housing providers?

The Deputy Presiding Officer: I can give you the time back for those interventions, Mr Kerr.

Stephen Kerr: I am not sure what Michelle Thomson's point has to do with the bill. I cannot possibly account for the logic that drives that kind of political point scoring for the sake of it.

I put it to members that the SNP is treating with contempt not only the Parliament but tenants and students across Scotland by pushing through a policy that international case study after international case study shows does not work. It does not work, because it reduces the supply of rented accommodation and increases the likelihood of homelessness. It does not work, because it reduces the maintenance of properties and increases the number of tenants and students living in lower-quality accommodation. It does not work, because it reduces the incentive for landlords to invest in their properties to improve energy efficiency, and so increases the energy bills of tenants and students and the difficulty of reaching our net zero targets. All of that is at a time when the rental market is already shrinking.

John Mason (Glasgow Shettleston) (SNP): Does the member accept that at least some landlords have not been increasing rent just to match their costs but have been doing so to make a super-profit?

Stephen Kerr: I am talking about the evidence on the general market situation. If there are specific examples of that kind of ruthless landlord, I am sure that something can be done about it, but the bill is taking a sledgehammer to crack that particular nut.

At the same time, the funding for Scotland's universities from the SNP-Green Scottish Government is being cut in real terms, and Scotland's universities are in effect being bailed out by fee-paying international students. Housing is already being squeezed, as has been mentioned. Students at the University of Glasgow

have been encouraged to withdraw from their courses or to defer their studies for a year. Other students have been forced to take up accommodation 30 miles away from their place of study.

My friend Miles Briggs mentioned the Irish case study. The Irish Economic and Social Research Institute and the Irish Department of Housing, Local Government and Heritage have stated categorically that, whatever the benefits that are promised from the policies,

“these measures come with supply-side health warnings: they have been shown to lower investment and maintenance in buildings and lower overall rental supply”.

Our friends in the Republic of Ireland do not need to look at international examples to determine how disastrous rent control policies are, because they are living with them. The Irish introduced such controls in 2016, and they have seen the number of homes available to rent plummet. In August this year, only 716 homes were available to rent, in a country with a population of 5.1 million people. A by-product of that is a shocking increase in homelessness. According to Department of Housing, Local Government and Heritage figures, in July this year, 10,668 adults and children were homeless across the Republic of Ireland. That is a record high and a 30 per cent increase on the figure in May 2021.

It is not just Ireland where there is an issue. The abhorrent consequences of rent control can be seen clearly in any city or country that has introduced them. In Stockholm, the average wait time for rent-controlled apartments is now more than nine years. In New York, the introduction of rent controls led to more than 125,000 people being homeless and, in California, it led to more than 100,000 people being homeless.

I see the minister shaking his head, but Universities Scotland, in its response to the bill, warns about unpalatable “unintended consequences”. First, Universities Scotland makes the point that it has already acted to protect students for the next academic year, because rent, which includes bills such as electricity, is fixed for the next academic year and so will not increase, regardless of inflation or changes to gas and electricity prices.

Secondly, Universities Scotland says that, if the rent freeze lasts for more than six months, that could mean that the cost of running student accommodation will become “financially unviable”, putting jobs at risk and further reducing supply.

Thirdly—I ask the minister to make the Government’s position on this point very clear—Universities Scotland states that banning eviction would put students at risk if universities were

unable to evict an individual whom they believe poses a risk of sexual or physical violence to other students.

Patrick Harvie rose—

Stephen Kerr: I am willing to take an intervention on that from the minister.

Patrick Harvie: The member will be well aware that, as with the temporary restrictions under the coronavirus legislation, not just criminal but antisocial behaviour is very clearly exempted from the moratorium on eviction.

Stephen Kerr: If an individual is believed to pose a risk of sexual or physical violence, they can be evicted—is that what the minister is saying? Can you shake your head minister? [*Interruption.*] That is not what I am asking, so I think that we need some clarification from the minister on that.

That is what Universities Scotland is asking for. I am sorry to try your patience, Presiding Officer, but if the universities cannot ask students to depart accommodation on terms agreed, that will put vitally important revenue-generating summer events at risk. It will also put at risk accommodation for the following year’s first year student intake. That is a very important consideration.

Finally, Universities Scotland believes that the focus should be on long-term strategy, not this emergency bill that has had such little scrutiny. The minister should deal with each of the concerns expressed by Universities Scotland in responding to the debate. With that, I will conclude.

15:40

Paul McLennan (East Lothian) (SNP): I refer members to my entry in the register of members’ interests. I own a rental property in East Lothian.

This week is challenge poverty week and that is exactly why we are here with this bill. They say that a week is a long time in politics. It is an old saying but still so true—just ask Kwasi Kwarteng. The cost of living crisis has been building for a long time and it is hitting the poorest in our community. Again, that is why we are here today.

Of course, the Russian invasion of Ukraine exacerbated the issue in terms of inflationary pressures, but those pressures were there before that. The energy price cap has been set at an average of £2,500. I remind members that it was £1,100 in 2019. However, the £2,500 is an average, not a limit—perhaps someone should tell Liz Truss that, too.

Recent studies show that 25 per cent of people in Scotland, and up to 35 per cent of single parent families, will not be putting the heating on this

year. For context, that is 25,000 residents in East Lothian. In Scotland, 72 per cent of residents are projected to be in fuel poverty, which is more than 70,000 residents in East Lothian.

Rental costs are usually the biggest costs for everyone. Inflation is projected by some commentators to rise to 22 per cent—believe you me, that is the fault of the UK Government—and food price inflation is forecast to be around 13 per cent.

Stephen Kerr: The member makes a point about inflation and then tries to blame the UK Government exclusively. Is the UK Government also responsible for the inflation rate of 10 per cent in Germany, 10.1 per cent in the European Union, 10.5 per cent in Austria, 11.27 per cent in Belgium, 11.4 per cent in Greece, 12 per cent in the Netherlands, 15.3 per cent in Romania, 15.6 per cent in Hungary and 17.7 per cent in Poland? Is the UK Government also responsible for those rates of inflation?

Paul McLennan: No it is not, but Mr Kerr will know that the rate is the highest predicted in the G7.

Stephen Kerr: No, it is not.

Paul McLennan: Yes, it is, and that is the fault of the UK Government.

The Scottish Government mitigates Tory UK Government policy choices by more than £700 million per year. That is the cost of this broken United Kingdom, which prioritises the most well-off in our society over the most vulnerable in our society and prioritises borrowing to cut taxes for millionaires over measures for people who do not earn enough to pay tax.

Stephen Kerr: Will the member take an intervention?

Paul McLennan: No, I will not—sorry.

That is all done by a Prime Minister who not only dresses like Margaret Thatcher but tries to emulate her policies with a perverse ideology. The Tory Party is now touting the possibility of cutting benefits, placing more people in poverty.

Finlay Carson (Galloway and West Dumfries) (Con): Will the member take an intervention on how that relates to this debate?

Paul McLennan: I am setting the context.

Finlay Carson: Will the member take an intervention?

Paul McLennan: No—I will not take an intervention; I am setting the context.

How many policy reversals will Douglas Ross support? He is the Kenny Dalglish of Scottish Politics—mibbes aye, mibbes naw. That is the

context; that is the problem facing many rent payers in Scotland.

The Deputy Presiding Officer: Mr McLennan, please resume your seat.

Liam Kerr: On a point of order, Presiding Officer. I think it is rule 7.2 that requires that the member address himself to the subject of the motion. I suggest that the member does that.

The Deputy Presiding Officer: As Mr McLennan has indicated, he is setting the scene. I hope that he will return to the subject of the debate. With that, Mr McLennan, I can give you the time back.

Stephen Kerr: On a point of order, Presiding Officer. Does Mr McLennan have an obligation to make points of truth and fact in this debate, or is he completely unrestrained when it comes to that obligation?

The Deputy Presiding Officer: Mr Kerr, you well know at this point that that is a debating point rather than a point of order. Mr McLennan, please resume.

Paul McLennan: My last line was: that is the context; that is the problem facing many rent payers in Scotland. The context is important.

What can the Scottish Government do to help, on top of the £700 million that it provides in mitigation every year within a fixed budget that is not inflation proof, when it does not have the borrowing abilities to support those who are most affected? The context that the UK Government has set is why the bill to freeze rents and safeguard against evictions has been introduced. I am proud to be part of a Government that supports our residents in that way.

This emergency legislation simply seeks to increase protection for tenants from rent rises and eviction action during the cost of living crisis that has been created by the Tory Government. If approved, the bill will give ministers temporary power to cap rents for private and social tenancies, with the cap set at zero per cent from 6 September 2022 until 31 March 2023. The bill includes the further power to maintain or vary the rent cap over two further six-month periods. The Local Government, Housing and Planning Committee will regularly review the proposed legislation over the next six months. We discussed that with the minister at this morning's meeting when he advised us of that power.

The enforcement of eviction actions resulting from the cost crisis will be prevented over the same period except in a number of specified circumstances, which the minister has talked about. Damages for unlawful evictions will be increased to a maximum of 36 months' worth of rent.

Crucially, the measures will apply to students in college or university halls of residence or other types of purpose-built accommodation. In the summer, we—other members were there at the time—heard from the National Union of Students about rent rises of more than 30 per cent over a number of years. It is clear that that is a deterrent when people are choosing whether to study.

The Scottish Government has recognised that the rental sector is a source of income for many people in Scotland. That is why the bill includes safeguards for private sector landlords, allowing them to apply to increase rent to partially cover, subject to an overall limit, a limited number of specified costs, including increased mortgage interest payments on the property that they are letting, an increase in landlord insurance or increases in service charges that are paid as part of a tenancy.

Four priority areas were raised in the joint briefing from Citizens Advice Scotland, the Joseph Rowntree Foundation, Poverty Alliance and Shelter Scotland. The priorities are to protect all tenants from rent increases and eviction, except in cases of antisocial or criminal behaviour; to recognise and address unintended consequences for both tenants and landlords; to incorporate a robust plan for monitoring impact; and for the bill to be accompanied by an immediate plan to raise tenant and landlord awareness of the changes and of the financial help that is on offer to households that are struggling. The minister touched on those in his introductory speech, but I ask that the cabinet secretary speak to them in her summing up.

I am proud to support the bill at stage 1. It will look after the most vulnerable people in our society.

15:47

Richard Leonard (Central Scotland) (Lab): Until yesterday afternoon, the Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights had been very coy about this emergency legislation. I have written to him, and I know that Mercedes Villalba, who is unable to be here today, sadly, and who has courageously led the Parliament in the campaign for a meaningful rent freeze, has written to him seeking clarity, but he has refused to give it.

What we do know is that the Scottish Association of Landlords met the Scottish Government just last week and, after the meeting, told its members that

“it is expected that landlords will still be permitted to serve tenants with notice to end the tenancy as normal. If the tenant doesn't vacate during the notice period landlords can then apply to the tribunal for an eviction order as normal”.

It continued:

“If the eviction ban was to be extended beyond 31 March 2023 then each individual eviction order would be subject to a maximum delay of 6 months e.g. an eviction order issued in December 2022 could be enforced in June 2023 at the latest (or on 1 April 2023 if the ban isn't extended).”

The bill confirms that to be true. It is an eviction ban, but the best that can be said of it is that it is a temporary, deficient, demi-semi-eviction ban. It is a ban in which tenants can still be served with a notice of eviction, that does not make it any harder for landlords to evict tenants, that does not strengthen tenants' rights, and that simply pauses the eviction for a time-limited period.

Let me turn to the rent freeze and what the Scottish Association of Landlords said about that. It said:

“Rent increase notices issued before 6 September are expected to be enforceable as normal. It is possible that safeguards may be put in place to allow rent increases in exceptional cases where a landlord can demonstrate that without one they will suffer”—

in the association's words—

“extreme financial hardship.”

It went on:

“The rent freeze will only apply to mid tenancy rent increases and will not affect a landlord's ability to apply a rent increase between tenancies.”

The bill confirms that that is true.

This is not only a long way from a universal freeze on rents; there is a real danger that the Government's promise of a rent freeze—this “most significant announcement,” in the words of the First Minister—will melt under the heat of fact.

Patrick Harvie: I have laid out exactly why this needs to be a balanced package, and I have been saying since the member's colleague moved an amendment back in June that a universal blanket approach would almost certainly fail the test of proportionality. I am a little confused as to why the member is using his speech simply to read out what I have already said is the Government position and is doing so in an ever-angrier tone of voice.

Richard Leonard: I will speak in whichever tone I choose, and I will include the content that I wish to include in my speech. I will not be dictated to by Mr Harvie, whether he is on the front bench or not.

I am bound to ask the Scottish Association of Landlords, if it is concerned that the proposals will cause extreme financial hardship for its members: what about the extreme financial hardship that its members are imposing on tenants? If landlords are complaining that their altruism is being tested and that a temporary rent freeze will drive them out of business, so that the supply of homes for

rent in Scotland will dry up, I ask them why, if this really is about altruism, they do not sell their private rental properties to the public sector so that they can become social rented homes and the tenants can stay.

What we truly need is a rebalancing of power between landlord and tenant. At the moment, if a tenant considers their rent to be unfair, the onus is on them, first, to know that there is such a thing as a rent officer; secondly, to know where to find a rent officer; thirdly, to contact that rent officer and get them to undertake an assessment; and, fourthly, to negotiate the implementation of that fair rent with the landlord themselves. I ask the minister for tenants' rights why the burden of proof should not be placed on the landlord to justify any rent rise, rather than on the tenant to win a case against it.

A constituent of mine, Ashley, contacted me a day or so after the First Minister's announcement to say that her letting agency had sent her a contract that puts her rent up from £475 to £530 a month. Her rent does not include bills such as those for gas and electricity, and the mortgage on the property has been paid off. In other words, there is no justification whatsoever for that huge rise. I have her letter here. She told me:

"It's hard for everyone right now. My gas is up, my electric's up ... what a time to pick to up my rent as well."

Ashley has not signed the contract, but she does not know whether the rent freeze will apply to her or whether, at the end of this month, she will have to start stumping up for that 11.5 per cent hike. Ashley said to me:

"I personally don't think it's fair that only some rents will be frozen."

She is right, and she speaks for thousands of young people like her.

A temporary freeze will not help. If it is designed to take the heat out of the effective grass-roots campaign that has got us to where we are today, it will not work. We need proper rent controls. That is what this Parliament must legislate for. Instead of short-term emergency legislation, we need long-term transformational change to tackle the housing crisis, unaffordability, overcrowding and homelessness and to take on the rogue landlords and properly protect tenants.

Without tackling insecurity and the soaring cost of housing, we cannot begin to tackle inequality, and, without tackling inequality and injustice in housing, we will never tackle them in wider society. We must be on the side of the tenant, not the landlord, and today we must deliver with action and not just with words.

15:54

Jackie Dunbar (Aberdeen Donside) (SNP): I will try not to use my angry voice today; I will try to use my reasonable one.

I welcome the opportunity to speak in the debate. Although the Scottish Government does not have the power to prevent people's energy bills from soaring, it is right that it is taking action to ensure that their rents do not rise and that they are not evicted from their homes over the winter. I therefore welcome the emergency legislation, which will ensure that that is done in a way that is legally robust, with the right safeguards being in place.

The bill aims to restrict landlords from increasing rents—with exceptions, as we have heard—until March 2023. It also bans evictions in the same period. The bill confirms that rents will be frozen unless landlords are experiencing increased property costs such as increased mortgage interest or service charges.

It is important to point out that landlords will be able to evict tenants, but only if the landlord can prove that they are suffering from financial hardship. That is not necessarily obvious from the commentary in the media or, indeed, from some landlords.

Under the proposals in the bill, it will still be possible for rents to be increased between tenancies, with the policy memorandum that is attached to the bill stating:

"the rent freeze ... protects tenants, helping them to stay in their homes during the cost crisis, whilst responding to the need to ensure that the measures are proportionate."

The cap on rent increases will initially be set at zero per cent, meaning that no rises will be permissible in the short term. The Government has made it clear that that will apply until March 2023, when the policy will be reviewed.

My Aberdeen Donside constituency has many people living in social rented accommodation as well as many people living in private lets. Many of my constituents will be among the hardest hit by the Tory-made cost crisis. Tenants, especially those in the private rented sector, spend a greater proportion of their income on housing than is spent by people who own their homes. People who rent have, on average, lower incomes and housing with lower energy standards. Recent research by the Joseph Rowntree Foundation found that almost a third of people who rent their homes in Scotland were already finding it difficult to pay their rent before the current cost crisis hit.

We face the threat of a humanitarian emergency in every community across Scotland, and it is a responsible move by the Scottish Government, in the absence of the powers to act properly on

energy bills, to act through the emergency legislation, which will protect the most vulnerable in our society.

It is also worth noting the comments of organisations that have welcomed the bill. The Poverty Alliance said:

“Rent freezes will help tenants across the country.”

Shelter Scotland has stated that the short-term, emergency measures in the programme for government are

“great news for tenants”

and that they

“will stop people ... losing their homes.”

Shelter Scotland also told Parliament that any measures to ensure that citizens have access to the right to a home are very welcome in the context of the cost of living, although it will wait to see the final detail.

Living Rent said that a rent freeze would have a “massive impact”

as

“skyrocketing rents continue to pile on top of out of control energy bills”.

Stephen Kerr: Did Jackie Dunbar receive briefing papers from housing associations? In particular, did she receive the briefing paper from the Cairn Housing Group? How does she respond to its sincerely held concerns?

Jackie Dunbar: I did receive the briefing papers—as, I am sure, Mr Kerr did. I have read them over just as much as he has, and I know that the Government has read them as well.

The Scottish Trades Union Congress stated:

“The Scottish Government is to be commended for freezing rents. If implemented correctly—and we are pressing for further answers—this will help thousands of households across Scotland when they need it most. When used, the powers of our Parliament can bring positive change.”

Those expert testimonies from organisations on the front line of the cost crisis speak for themselves and they show the absolute need for the bill.

It remains essential that tenants continue to pay their rent, and anyone who is struggling to do so should contact their landlord at the earliest possible opportunity. The bill aims to freeze rents at an affordable level so that folk can continue paying their bills and do not fall into arrears. Tenants and landlords who are willing to work together to address rent arrears can receive support from the Scottish Government and local authorities, such as through the tenant grant fund and discretionary housing payments.

I also welcome the Scottish Government’s commitment to continue to engage with landlords as well as housing authorities while the legislation is in place up to March.

Emma Harper: Will Jackie Dunbar take an intervention on that point?

Jackie Dunbar: I will, very quickly.

The Deputy Presiding Officer: Be brief.

Emma Harper: I will be, Presiding Officer.

Yesterday, I met a chief executive of a local housing association in South Scotland who has concerns about the impact of the rent cap on future development, maintenance and support. I understand that the housing authorities’ plans are already set until 1 April. Does Jackie Dunbar agree that the Cabinet Secretary for Social Justice, Housing and Local Government should commit to engaging with the housing authorities continuously in the process as we go ahead?

Jackie Dunbar: I absolutely agree with my colleague Emma Harper. As a former vice-convenor and a former spokesperson for housing for the SNP group on Aberdeen City Council, I know that most social sector rents are already set until 1 April 2023, so having the temporary measure in place until March should not financially impact on housing authorities or social landlords. I join Emma Harper in asking the cabinet secretary to reaffirm her commitment to keeping housing authorities fully informed of the Government’s plans as we approach March.

During the current UK Government-made cost crisis, I welcome the emergency legislation from the Scottish Government, which will work to protect my Aberdeen Donside constituents as well as folk across Scotland during the winter months.

The Deputy Presiding Officer: I advise members that most of the time that we had in hand has been used up, so I will require speakers to stick to their allocations.

I call Jeremy Balfour. You have around six minutes, Mr Balfour

16:01

Jeremy Balfour (Lothian) (Con): The world is in the grip of an economic crisis the likes of which we have not seen in years. As a result of global factors, the people of this country are facing an incredibly difficult winter, and it is incumbent on all Governments to provide for them.

However, when Governments are considering what measures to implement, due consideration must be given to the potential consequences outwith the primary intent of legislation. It is very rare that any action or piece of legislation has no

consequence outwith the area that it is directed towards. In that vein, I have real reservations about the proposed rent control measures that the Government has put forward. Unintended consequences will lead to policy promises that could be devastating, particularly for the people I represent in Lothian.

The Scottish Government is far from being the first to have such an idea. There is example after example of rent control schemes that have been implemented, only to be rolled back after disastrous unintended effects manifested themselves.

As others have mentioned, we should look at what happened in Germany. The rent control scheme there was hailed as a policy that would fix every problem that the market could not fix. The same was said of the rent pressure zones that were introduced in Dublin. Both schemes were supposed to ensure affordable rent for all. Instead, they manufactured an extreme shortage of available rental properties and drove many landlords from the market. The number of classified adverts for rental properties fell by half as a result of the measures that were taken in Berlin, and, according to the economist Jim Power, the Irish system of rent pressure zones is causing

“an exit of private landlords from the market and is reducing the supply of rental property and putting upward pressure on rents at a time when significant increases are required to satisfy demand and create a functioning residential property market”.

The definition of insanity is doing the same thing over and over while expecting different results.

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): Does Jeremy Balfour not recognise that the bill is temporary legislation to enable us to get over a cost of living crisis that was created by the Government in Westminster, of whose party he is a member?

Jeremy Balfour: The bill that we are debating in this Parliament will give the Scottish Government the power to extend the provisions for 18 months. That is not temporary as far as I am concerned.

John Mason: Will the member give way?

Jeremy Balfour: I need to make progress, if that is okay.

It is not controversial to point out that rent controls limit the stock in the rental market. That has been observed time after time, and it is a mystery why the Scottish Government is expecting something different.

If price fixing was not enough, the proposals on evictions from property will add even further uncertainty to the market. Removing the incentive

for tenants to pay and the ability of landlords to regain their property throws up a litany of issues that the Government has not thought through. For one, there are costs associated with letting property that are met by rental income. If landlords cannot rely on a steady stream of rent, many will be unable to fulfil their financial obligations in relation to repairs, for example, and we will see properties falling into even worse states of repair.

In addition, some landlords in Edinburgh and the Lothians rely on regular rent to pay their mortgage. Especially for those with a buy-to-let mortgage, a halt to income can cause their property to be repossessed, which will likely result in the tenant being evicted as well. If the Government had thought through the situation, it would have appreciated that it needed to bring something different to the table.

The other group that will be deeply affected by the bill is housing associations. Banks lend associations money, with rental income acting as a guarantee against the debt. If an association's income becomes unsustainable, it is likely that the bank will refuse to lend it money. That will bring another pressure to the sector and we will see the rental property market collapse.

It is not just me who is saying that. We even had representations today from the Convention of Scottish Local Authorities, which is not necessarily in favour of everything that Conservative members do. It says that what is proposed is a power grab by the Scottish Government and that it takes away from localism at every level. It asks why local authorities should not set rents, rather than central Government. Setting rent caps and freezes at a national level strips local government of its power. Its ability to set rent for local houses—

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Will the member take an intervention?

Jeremy Balfour: I am in my final 30 seconds, unfortunately.

With no consultation with the sector, we are going to end up with more people being homeless over the next few months. The policy that we are debating is a fundamentally wrong policy. It will end up with people being in a worse place, and we will see more people selling their properties to be able to meet their own rising costs.

16:07

Michelle Thomson (Falkirk East) (SNP): I refer members to my entry in the register of members' interests, which states that I rent some property out. I consider it unethical to speak on issues on which it could be construed that I am attempting to influence the Scottish Government in

my own interest. Therefore, my speech will make no reference to the buy-to-let market. I will, however, make some remarks on the broader housing market.

Fundamentally, the Scottish Government is seeking to do the right thing, but it is subject to limitations. The first of those is a lack of adequate powers. The Government's job, above all else, is to protect Scottish citizens, and there is nothing more fundamental than having a roof over one's head. However, without an appropriate basket of powers, including on borrowing, the Scottish Government is heavily constrained.

The second is the macroeconomic context. The Scottish Parliament has no monetary policy powers and very limited fiscal powers. That is why the Scottish people are facing the full brunt of Tory economic incompetence. Rising food inflation, rising mortgage costs and the recent disastrous fiscal event by the latest Tory chancellor and Prime Minister all call for action. The willingness of the Scottish Government to take action is to be commended.

Liam Kerr: Will the member take an intervention?

Michelle Thomson: I will carry on just now, because I am changing scene.

I sound a note of caution and quote Susan Aktemel of Homes For Good, who said on LinkedIn:

"The Scottish Government seems to be legislating against new housing supply in the midst of a housing crisis".

Those remarks go to the heart of the difficult balancing act that the Scottish Government must undertake: how does it take action to protect tenants without cooling the underlying supply of housing?

I will open some areas for discussion. The mood music for institutional professionals in the housing market must be right. They must know that Scotland is open for business and that their long-term investment plans can proceed. Pension schemes, in particular, have a long-term focus on patient capital, which must be considered. I highlight the build-to-rent model, which offers a route for Scotland to reach the scale of the housing that is required against a backdrop of undersupply and overdemand.

Liam Kerr: Earlier, I made the point that there is evidence that moves such as rent freezes can reduce the housing stock that the member rightly calls for, which we need more of. What evidence does she have that that will not be the unintended consequence of the bill?

Michelle Thomson: I do not have any evidence, because I do not have a crystal ball. However, I am pointing out that there is a housing market—we are not debating that here—and what is critical in relation to the housing market is having macroeconomic and fiscal powers. If we had adequate borrowing powers, we could take action, for example, to build more houses. That is the point that I am making. *[Interruption.]* I will carry on.

I reference the Scottish Property Federation's remarks that there is a pipeline of new build-to-rent properties that is worth £3.5 billion and its concern that some of those projects might be put on hold. Risk assessments for other businesses such as small and medium-sized enterprises are growing more complex, and they are becoming more risk averse. Access to funding is already problematic, with interest rates increasing and being exacerbated by the current Tory-induced chaos. No one who lived through the credit crisis of 2008 will forget clauses in commercial contracts that allow for a demand for the repayment of bank loans regardless of whether any debt is being serviced regularly. We need strong guarantees that, this time around, the finance sector will act appropriately to support businesses.

Stephen Kerr: Will the member take an intervention?

Michelle Thomson: If the intervention is specifically about the regulatory environment for SMEs, I will happily take it.

Stephen Kerr: The member is making some very good points, but she has not answered the intervention from my friend Liam Kerr. Does she acknowledge that international study after international study shows that the imposition of rent freezes creates constrictions in the supply of available property for the homeless?

Michelle Thomson: I acknowledge that restriction of supply can have an impact—that is true. I am making it clear that the issue is very complex. If Stephen Kerr and Liam Kerr really cared about the housing market, they would be calling for increased borrowing powers for the Scottish Government so that it can build more houses, and for more macroeconomic powers for the Scottish Parliament, so that we can take further action. That is the point that I am making. Conservative members want us to sit passively and leave those matters to the Tory Government in London, and we have seen where that has ended up.

It is worth noting that all those economic factors, and many more that I have not mentioned, are outwith the control of the Scottish Parliament and the Scottish Government, which adds emphasis to my opening remarks. Housing providers are

nervous because of uncertainty, and the vast majority of that uncertainty is because of macroeconomic policies that have been set in Westminster.

Any initiatives must look at the overarching housing sector in the round. Therefore, I would like to ask the minister what specific assessment has been carried out of the effect on the availability of housing supply of the proposed changes. Will there be check points on supply against demand?

We are in difficult times. With strictly limited powers, it is hugely difficult to extend tenant protections and to ensure that the environment for investment in new housing is optimum. The UK Government has used the property market to give the illusion of wealth and growth, leading to a bloated asset class.

The Deputy Presiding Officer (Annabelle Ewing): Ms Thomson, you are over your time. Please bring your remarks to a close.

Michelle Thomson: This is my last sentence.

Despite the complexities that I have outlined, fundamentally, the Scottish Government has a duty of care to citizens, and for that reason I absolutely stand by the legislation.

16:14

Carol Mochan (South Scotland) (Lab): Before I make my contribution, I refer members to my entry in the register of interests.

I am happy to have the opportunity to speak in the debate. This action is welcome, but it is long overdue. From the beginning of the cost of living crisis, Scottish Labour has called for real, measurable action to help those people in most need—from a windfall tax on energy companies that make eye-watering profits while working people struggle, to a rent freeze to support tenants who have been exploited by rogue landlords who increase bills during a time of severe economic uncertainty.

It is therefore welcome that the SNP-Green Government has U-turned on the issue of rent freezes. Let us not forget, however, that if the SNP and Greens had backed the proposals of my Scottish Labour friend and comrade Mercedes Villalba in June, the rent freeze would have been in place months ago, and tenants would not have had to wait until December—a point that the First Minister had implied would not be the case.

Patrick Harvie: I do not expect the member to accept this point, but I put on record one more time that, had we voted for that amendment and had Parliament passed it, the rent freeze would not be in place—the bill would have gone to court

and been struck down, and we would have done nothing but harm.

Carol Mochan: The minister knows that Labour's position is that he could have lodged an amendment or had a discussion on those points at that time.

The proposed rent freeze from the SNP and Greens will not help those people whose rents were hiked over the summer after the Government's failure to support a rent freeze in June. The average rent in Scotland was £780 in April, when Living Rent and my colleague Mercedes Villalba first raised the need with the First Minister; it now stands at more than £850, which we can agree is a significant increase in just six months.

Clearly, this is not the time for patting the back of a Government that, before the summer, said that the scheme was unworkable. It is a time to highlight the power of working people, of our trade unions and of their campaign to deliver this change. Inaction and empty promises were never going to be enough during a cost of living crisis, and I am pleased that the Scottish Government has come to that realisation.

I agree with the Scottish Government that the cost of living crisis is a result of years of irresponsible Tory economic policy, of austerity, of cutting taxes for the rich and increasing costs for the workers. However, in Scotland, we have powers to mitigate. We have powers in social security and through local councils to improve service delivery for those people who are most in need.

It is often suggested in Parliament that there is only one way out of this mess. In fact, what the past weeks, months and years have shown is that Scotland has two Governments that are often set on dividing communities. The fact that people power has brought about this change of heart in the Government highlights that the people of this country want to unite around policies that will improve their lives and set a brighter future for the next generations.

As members have highlighted, tenants and tenants organisations are knowledgeable enough to come to Parliament and give us sound advice that we should listen to the people of Scotland.

Miles Briggs: I am not sure that, when Scottish Labour envisaged rent control, it envisaged that the social rental sector would be such an integral part of the policy. Would Labour members therefore vote to remove it from the legislation, given the unintended consequences of the bill, which the sector's representatives are raising with elected members?

Carol Mochan: The member knows from my colleague Mark Griffin that we will lodge amendments on that issue. We know that we are secure until the end of this financial year, but we are happy to debate the issue again tomorrow.

The introduction of the legislation is a welcome step forward. However, as members have mentioned, the bill will not help all tenants and is by no means a long-term solution to the challenges that Scotland faces in relation to the housing market.

Scotland's councils have been starved of funding by the Scottish Government and the Tories in Westminster. In recent years, Labour in local government has been delivering nation-leading house-building programmes, despite the cuts. That is essential work, and we are proud to say that those programmes are delivering council housing once again, and are providing stability and security in the most uncertain of times.

As the member for Carrick, Cumnock and Doon Valley, Elena Whitham, said, a home is more than bricks and mortar. That is why we must challenge the balance between landlords and tenants, as my colleague Richard Leonard mentioned. I hope that the Scottish Government recognises the short-term nature of the plans that are set out in the bill. I call on the Government to invest in our councils to ensure that they have adequate funding to build the required quantity and quality of houses that are needed in Scotland today. Furthermore, I hope that the minister listens to calls for the rent freeze to remain in place until a national system of rent controls comes into effect. We know that we can be bolder and go further. I call on the Scottish Government to show that ambition.

I pay credit to my colleague Mercedes Villalba, tenants organisations such as Living Rent, and the trade union movement for their relentless campaigning to force this U-turn. It is a welcome step that will have a positive short-term effect. Scotland is in desperate need of a reformed housing policy that delivers first and foremost for our working population. Today is a step forward, but there is room for us to go further.

I reaffirm my party's support for the principle of the bill and I highlight our commitment to delivering a long-term housing strategy that meets the needs of our populations.

16:21

Emma Roddick (Highlands and Islands) (SNP): I am over the moon that the bill has been introduced. It was the highlight of a programme for government that announced many policies that will have great impact on people in the Highlands and Islands. The bill is radical and bold, and has wide-ranging benefits for tenants.

Reading the policy memorandum last night made me proud to be a member of the SNP. Whatever safeguards and caution are in the bill, the intent is very clear: to protect tenants by stabilising their housing costs, to protect their health and wellbeing, and to avoid evictions.

I told *The Orkney News* yesterday that this rent freeze, during a cost of living crisis, will ultimately save lives. I have no doubt that that is true. In the run-up to winter, making sure that people who are paying rent—even rent that is already unfairly high—are able to stay in their homes must be our priority.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): I noticed that Tess White asked a question today on the growing challenge of policing mental health and challenged the Scottish Government to do more. Does the member agree that housing security is a key wellbeing indicator and that the Tories' opposition to the provisions in the bill that seek to provide such housing security is hypocritical?

Emma Roddick: I absolutely agree that housing is integral to mental health. There is a lot of hypocrisy coming from members of the Conservative group today: they claim to care about mental health but they do not support the bill, which has supporting the mental health of tenants listed as one of its specific aims. The Conservatives claim to be worried about the amount of time that we will be spending debating the bill, yet they are wasting an awful lot of it on things that have nothing to do with the content of the bill.

It is also worth reflecting on the fact that the bill is not the only way that the Scottish Government is supporting tenants with household bills and low income right now. Many will be benefiting from housing benefits—including mitigation of the bedroom tax—the Scottish child payment, the uplift to Scottish benefits, best start grants, and many other progressive policies brought forward by the SNP Government.

Nobody can accuse the Government of oversimplifying and trying to address this incredibly complex issue with only one action, or of thinking the bill is a panacea—at least not without looking a bit ridiculous. There is world-leading work going on in this building: legislation on social security and homelessness that is unprecedented, although constantly criticised by the Conservatives, who I can only assume would rather see us protect the growing wealth of bankers.

Frankly, I cannot believe the brass neck of some Conservatives who are claiming that it is not an emergency bill and have criticised this action, which is only necessary thanks to the shameful

string of right-wing, harmful policies announced by the UK Tory Government, from cutting universal credit, to not only failing to act on but being complicit in the increase in the cost of energy, which is linked to eye-watering profits for energy companies.

It is a great pity that the Scottish Government, which is carrying out such progressive and impressive work—particularly in the social justice, housing and local government portfolio—is so constantly and hugely hamstrung by not having full fiscal powers; not being able to rely, even from month to month, on what our budget is going to be; and not being able to legislate on many of the biggest causes of poverty in Scotland today, such as energy policy.

Renting was already extortionate before the cost of living crisis, before Covid and before Brexit, and all those things have only made the situation worse. The Scottish Government is taking brave action to protect those who need protection most and ensure that tenants can keep a roof over their heads. That must surely be the most important consideration in the debate.

I recognise that there is a need to be able to defend the legislation not just to our electorate but legally. The bill has to be robust and strong, and the Government has to have confidence that it can defend the bill to the hilt—otherwise, it would be irresponsible and dangerous to present anything. That is particularly important when we consider that, while landlords and letting associations often have the money behind them to take legal action, tenants generally struggle to do the same. We must be careful not to create policy that is based on which group is most litigious, so I echo my colleague Elena Whitham's call for the financial support that is available to tenants to be well advertised and accessible. We have to make it as easy as possible for tenants to access help.

I also agree with Elena Whitham's comments about sitting tenants being able to remain in a home when the owner changes. It was pointed out to me this week that, if a commercial property were being sold, a sitting tenant would be seen as a positive, as it would mean immediate income following the sale. If a new owner does not intend to live in a property, perhaps we need to encourage an attitude shift towards supporting existing tenants to stay in their home. Rented or owned, a home is a home.

Over the summer recess, I told constituents that I was looking forward to coming back to the Parliament because we had so much to get through. Unfortunately, we have lost a week of business since the recess. Even in that context, the bill is worth spending three days—and possibly evenings—debating.

Let us make sure that we have a debate and not a foregone conclusion. I am sure that we will hear cracking arguments over the next two days about the finer points and about whether we can or should go further—particularly from Labour members, given that we start from the same position that this is emergency legislation to respond to an emergency situation and that tenants must come first.

There is always more that can be done on housing and always something that we could go further on in theory. I do not envy those who have to narrow down actions to what can be done in practice. I look forward to taking part in the debates and I hope that, in this room of legislators, there will be a commitment to explore ideas, to look into possible changes and to really consider whether suggestions to strengthen the bill are doable and defensible.

16:27

Ariane Burgess (Highlands and Islands)

(Green): This is a crucial week for tenants across Scotland. We are living through the worst cost crisis for generations, with inflation soaring and bills skyrocketing. One of the biggest expenses that people have is housing, which is why this emergency legislation is so important. It will provide immediate support to tenants who are at the sharp end of the crisis this winter.

I welcome the bill, which will implement a zero per cent cap on rent increases and will significantly ramp up protection against eviction from tenancies until at least 31 March 2023. It will create a new system to make it easier for tenants to challenge unlawful evictions and it will bring in tougher sanctions for landlords. It will also grant ministers powers to reform how tenants can challenge rent rises in the private rented sector after the freeze. Those priorities stand in stark contrast to the cruelty and incompetence of the UK Government in its so-called mini budget, which is a multibillion-pound giveaway to the bankers, the polluters and the superwealthy.

The bill is part of a bigger whole. Although Scotland already has the strongest tenants' rights in the UK, the Bute house agreement sets out why we need to do much more to reform renting.

Edward Mountain: I repeat that 1984, 1988 and 2016 acts cover rental agreements. They regulate by how much rents can increase and they provide a mechanism for disagreeing. Does Ariane Burgess know what the relevant sections are and what options are available to tenants? I would be happy to explain that, if the Presiding Officer would allow the time.

Ariane Burgess: I really appreciate Edward Mountain's long-standing knowledge and

experience in Parliament, and his sharing that earlier in the debate, but I would like to press on with what I have to say.

Over the course of this parliamentary session, we will introduce the biggest expansion of tenants' rights in more than a generation, including better protections against eviction, improved regulation, more rights and long-term rent controls. That was a core part of the partnership agreement between the Scottish Greens and the Scottish Government. It is part of our journey that is set out in the Bute house agreement to make rents less about maximising profit from homes and more about affordability, quality and tenants' voices. That vital work continues and will contribute to the biggest package of housing sector reform since devolution.

Renting in Scotland is too often expensive and insecure. Too many tenants pay extortionate amounts to live in damp, cold and overcrowded homes. No home can be left behind if we are to build a recovery that works for people and communities.

Liam Kerr: Will the member take an intervention?

Ariane Burgess: No, thank you. I am going to continue.

In the Highlands and Islands region, which I represent, the need for affordable, accessible and adequate homes continues to be pressing. Many people struggle to find a home in which they want to live. If they do so, they face unaffordable rents. The deepening cost crisis has left few people unscathed, but many people who rent their homes will be even more vulnerable to the harsh winter ahead. If the United Kingdom Government will not act as it should, the Scottish Government should do all that it can. Protecting people from rising rents and from losing their homes is the right thing to do, as winter looms.

Liam Kerr: Ariane Burgess talked about building new homes. I have a letter from a housing association that says:

"a rent freeze means housing associations ... will have to cut back on improvement and maintenance programmes. This greatly reduces our chance of meeting the Scottish Government's targets on building new affordable houses".

Does Ariane Burgess recognise that consequence? If so, why is she voting for the proposed legislation?

Ariane Burgess: For the period that is covered by the programme for government, the vast majority of—if not all—social landlords would not be raising their rents anyway. Some social landlords have frozen rents this year, and others have set up extra assistance for tenants who are hardest hit by the cost crisis. In his role as minister

for tenants' rights, Patrick Harvie has committed to working closely—I heard it this morning at committee—with social landlords if measures are extended beyond March, to ensure that there is no adverse impact on long-term plans for more social housing. There is plenty of common ground to build on in ensuring that all renters have rents that they can afford during this stressful period.

I am proud that Scotland is leading the way on protecting tenants. No other part of the UK is proposing anything close to the Scottish Government's ambition on protecting tenants. It is part of our journey towards joining the norm in other European countries, where regulation of rents is built in to the way housing works.

In the short term, the emergency bill will make a substantial difference this winter for people who rent their homes. Ultimately, however, we need long-term solutions. Part of that is a culture change—a move away from housing being seen as a money-making investment towards a culture that is about providing homes for people.

With the powers of an independent country, Scotland could do much more to tackle the cost crisis head on. The bill shows that the Scottish Greens, working constructively in government, are delivering on the promises that we made to the electorate in 2021.

The Deputy Presiding Officer: Ms Burgess, could you bring your remarks to a close, please? You are well over time.

Ariane Burgess: I am winding up.

We are choosing to protect tenants, not bankers' bonuses. We are freezing rents, not freezing pensioners.

The Deputy Presiding Officer: Ms Burgess, you really need to conclude now.

Ariane Burgess: I am sorry, but I took two interventions.

We are doing the hard and detailed work that delivers.

The Deputy Presiding Officer: Ms Burgess, will you conclude now, please? Thank you.

Ariane Burgess: That is what the Parliament is for.

16:34

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I speak in support of the emergency bill, which will secure a number of welcome and essential provisions. As we have heard this afternoon, the main provisions are a six-month rent freeze for tenants across tenures and a ban on evictions across tenures for the same period of time.

Those measures will be welcome and valuable for many hard-pressed tenants across Scotland, including in my constituency of Glasgow Maryhill and Springburn. They will give certainty, stability and support for many people for the next six months, which will be very welcome, given—if we are honest about it—a cost of living crisis that is fuelled by a Westminster Government that has been complicit in the crisis due to its reluctance to regulate and tax the energy sector.

The measures will also be welcome, given the Westminster Government's keenness to cut budgets for the Scottish Parliament and to herald in austerity, and its refusal to acknowledge the need to go further on public sector pay awards across the board. That is before we look at the cack-handed approach of Liz Truss and Kwasi Kwarteng over the past couple of weeks. That is the context in which we debate this emergency bill.

The bill takes a measured approach. There are reasonable caveats built in about when it might be appropriate to trigger a rent increase or to move for eviction during that six-month period, to make sure that the bill is legal and competent. We had that debate before on Covid emergency legislation, and Patrick Harvie's exchange with Richard Leonard earlier sums up the need to get the balance right to make sure that the bill is legal.

However, I need to flag up potential unintended consequences for the social rented sector, as I have done before in Parliament. Within days of the announcement, I met three social housing providers in my constituency, and I have been contacted by several more. Housing associations are anchor organisations in the communities that I serve. They have great value, and not only in respect of how they invest in their core rental stock to improve it and bring it up to the energy efficiency standards that we all need to meet to tackle the climate emergency. The Scottish Government supports housing associations with grants that are underpinned by borrowing from the finance sector. Housing associations are building the next generation of social rented housing, and we must secure those gains and go further. I see that happening across my constituency.

I also see the wider activities of housing associations in my constituency, including work to tackle loneliness and isolation in the communities that I serve, support for vulnerable groups and provision of welfare advice and, increasingly, food and fuel support. They make a difference in the communities that I serve.

All that investment in stock and in the communities that we serve is, in part, predicated on rental income from tenants, and we have to remember that. When housing associations raise significant concerns, we must listen carefully.

Graham Simpson (Central Scotland) (Con):

The member is right to say that he has raised those concerns before. Does he accept that housing associations' genuine concerns could see the investment that he has talked about being choked off by the measures in the bill?

Bob Doris: I do not think that that will happen, because I have an on-going dialogue with housing associations. They are making representations to the Government, and the Government is in listening mode. Mr Simpson is right to raise those potential concerns, but I do not think that that will happen. I thank him for raising that point.

I have made clear the important role that housing associations play in my constituency, and we have heard this afternoon that they plan their finances over 10, 20 or 25-year periods. They are sensitive to year-on-year variations in their predicated rental incomes, including where there are constraints on the ability to raise rents. We have to be cognisant of that.

I acknowledge that they have a rent affordability tool, which they seek to use, and that they are statutorily required to consult tenants. We have to look at that in the context of any potential rent freeze.

Willie Rennie: Will the member give way?

Bob Doris: I do not have time, so I have to say no.

I point out that housing associations—not always, but by and large—have shown constraint in the past few years. Maryhill Housing Association in my constituency had a rent freeze in 2020. That had consequences for its finances for a time, but it found a way to have that rent freeze.

Housing associations make different decisions at different times and have different trajectories of rent increases over the years, depending on their investment priorities and the pacing of that investment.

When we talk about a rent freeze, we should be cognisant of that being a rent cap at zero per cent. If a rent cap was to include the social rented sector in the future, that figure would not have to be zero per cent. It could be higher than that or it could be set at a different rate—if there is to be a cap at all, of course. A different cap could take into account the statutory consultation process that housing associations have with their tenants, the previous rent increases that housing associations have made over a number of years, the constraint that they have already shown and a variety of other factors.

Overall, my preference would be for partnership, conversation and co-production with the social rented sector, rather than for a rent freeze and

rent cap more generally. However, we are in unprecedented times. We must think about every way in which we can support the most vulnerable people in society. That includes considering freezing rent across all tenures. I hope that that does not happen in the social rented sector it, and I have put on record what the unintended consequences of that might be. We must continue our dialogue and keep working with the social rented sector.

16:40

Graham Simpson (Central Scotland) (Con):

The bill is a disgrace. This is not the way to do legislation. Emergency legislation should be an exception that is reserved for wartime or a pandemic, or to make quick updates to law when needed. The bill does not qualify. This is a complex policy area; we cannot rush this sort of thing.

I convene the cross-party group on housing, which has produced a report on rent controls. The report took months to produce and was meant to help the discussion around the issue. I will come on to its recommendations, but the report shows that we cannot and should not pass this sort of legislation in three days, with MSPs given less than a day to scrutinise it beforehand. If the bill is passed, it will wreak untold damage on the very people that this Government and its Green partners purport to stand up for.

The legislation is an attack on the entire rental sector, fuelled by the Greens' hatred of anything private.

Bob Doris: I seek clarification on the Conservatives' position. Earlier, Mr Balfour seemed to be saying that the bill is an attack on local democracy and suggested that the powers to cap and freeze rent across all tenures should sit with councils. Is that Conservative Party policy?

Graham Simpson: The bill applies to councils as well as to the social rented sector, which Bob Doris spoke about in his speech.

The Greens see private rental sector landlords as being inherently bad, up to no good and generally out to make a killing off the backs of tenants, as does, apparently, my good friend Richard Leonard. How wrong can they be? The Government has produced rushed and flawed legislation that attacks the social rented sector, which has been up in arms about it.

Others have already spelled out the sector's concerns, but they are worth repeating. As the Scottish Federation of Housing Associations said:

"This policy will do little to increase the incomes of most social housing tenants. Instead, it will threaten both the Scottish Government's ambitions on affordable

housebuilding and climate change, and our members' ability to provide their tenants with exactly the kind of targeted support that is required in these times."

There is no problem with high rents in that sector, but there will be a problem with investment if the bill goes through. Any ambitions for targets on the building of affordable homes can be thrown out of the window.

The SFHA warns of "dire consequences". The Glasgow and West of Scotland Forum of Housing Associations fears that the bill could be a precursor to something permanent. It said:

"State intervention in our sector's rents after March 31 2023 would set a very worrying precedent and would savage plans to invest in existing and new homes".

We know that such intervention could indeed continue beyond March next year because that is provided for in the bill.

John Mason: Does the member accept that David Bookbinder from the Glasgow and West of Scotland Forum of Housing Associations said that he could live quite happily with a freeze up to the end of March next year?

Graham Simpson: He did say that, and I will come on to that point.

Andy Young of East Kilbride Housing Association told me that the bill has united the sector like never before and will make the delivery of net zero impossible. It is quite something that a Green minister is taking a wrecking ball to a policy that helps the environment.

Today, we have had stark comments from people in the sector who know what they are talking about. David Melhuish, the director of the Scottish Property Federation, warned that the bill could lead to £3.5 billion of planned investment in new private rented accommodation being withdrawn. That would be quite an achievement.

John Blackwood, from the Scottish Association of Landlords, is a mild-mannered man who, until now, has never been party political in all the time that I have known him. He says:

"With this Bill, the SNP and Greens have put political rhetoric ahead of measures that would achieve real results in solving Scotland's housing crisis ... They have neglected the housing sector in Scotland, leaving it to crumble."

He calls the bill "irresponsible", and he is right.

The rent control report that I mentioned was balanced in a way that the bill is not. It looked at evidence from across the world, and we discovered that there is a lack of robust data on rents in Scotland. What data there is shows a mixed picture across property types and different parts of the country. A one-size-fits-all approach is simply wrong in my view. Our report did not ask whether rent control is desirable; it was a

discussion paper that assumed that it was coming. The minister has been sent a copy. If he has read it, he will know that, if the provisions in the bill are extended, there could be severe consequences. There are different ways to control rents, and they all have pluses and minuses. As I said, the situation is complicated.

I will come back to the point that Mr Mason made. The fear in the sector is that the rent freeze will continue beyond March 2023. That is the real concern, and the bill contains such provision.

Patrick Harvie has not taken a considered approach. He has taken a mallet to the sector. Such a haphazard and blunt approach to law making must be resisted.

16:47

Michael Marra (North East Scotland) (Lab):

This dreadful cost of living crisis is being felt across the country and is resulting in human misery and great harm. Many of my fellow Dundonians and many others across the north-east are struggling to feed their children, are missing meals themselves and have no idea how to pay their ever-increasing bills.

Paying the rent accounts for a huge slice of a family's income. Parliament must intervene at this moment of crisis; we are right to do so. However, we cannot do so blind to either the causes or the various impacts of our actions. The only long-term solution is to increase housing supply, and we must guard against actions beyond the immediate emergency that further decrease that supply.

My remarks will principally address the issue of student hardship, the impact of the proposed legislation on our universities and the need for long-term solutions for university accommodation.

One in eight Scottish students has experienced homelessness since the start of their studies, one in three has considered dropping out due to financial difficulties, and one in four is unable to pay their rent in full, so it is little wonder that the National Union of Students Scotland has welcomed today's action on housing costs.

However, Universities Scotland has raised with me well-founded practical concerns about university halls of residence and the impact that the legislation could have if it is extended in the way that the bill allows for. If the provisions are extended beyond the end of March and rent rises are capped well below inflation, it is likely that that will cause significant challenges. The costs of operating such facilities are subject to all the inflationary pressures that are found elsewhere in our economy. Those costs include the employment of staff, some of whom are, it would be fair to say, not particularly well paid. We must

remember that universities are taxpayer-funded institutions with a vital social purpose, and that they are already facing 8 per cent budget cuts from the Government.

Why are we here? The inflationary shocks that are ripping through Britain have been triggered by the invasion of Ukraine, but we are being particularly badly hit compared with other countries because of the chronic failure of the UK and Scottish Governments to ensure that we have a resilient economy with energy self-sufficiency and robust supply chains—an economy based on innovation and productivity rather than debt-fuelled consumption.

Market shocks such as the Kwarteng mortgage premium are ruining the lives of many hundreds of thousands of people. The Tory chancellor's grotesquely inept mini-budget has added £1,500 to the average mortgage borrower's annual bill and has resulted in hundreds of mortgage products being withdrawn and soaring costs for those seeking to buy. That demand shock will be felt for years, and it will further chill Scotland's house-building sector, all for zero benefit, given the ridiculous series of U-turns that have been undertaken in recent days.

The problems for universities and students are particularly acute. The Scottish Government imposes a business model that drives international recruitment to pay for the cost of Scottish students, which has meant a 27 per cent increase in student numbers in the past decade. At the University of Glasgow, which members have already cited, student numbers have risen by 20 per cent in only four years. That is a dramatic and substantial change that would play havoc in any marketplace for accommodation. Despite that 20 per cent rise, there has been only a 10 per cent increase in the available housing for students that is provided by the university and through purpose-built halls.

Jamie Greene (West Scotland) (Con): I thank the member for raising that important point. There is a huge shortage of accommodation across university campuses, and the private sector fills in those gaps. However, the key question facing us is whether the bill will make that situation better or worse, given the sheer demand for properties and the lack of properties on the market already.

Michael Marra: It is pretty clear that a balance has to be struck. We need emergency action to deal with the costs that people are facing—that includes students, some of whom are facing absolutely unacceptable rent rises—and we need to ensure that there is long-term supply. I share the concerns about long-term supply in the student marketplace. One university has already told me that developers are cancelling projects, given the current circumstances that they face. We have to

ensure that there is the possibility of bringing supply back online as soon as possible.

The national story on student housing, which has been alluded to, is even more concerning. The latest statistics show a 14 per cent decrease in the number of private sector halls and university-provided accommodation. All of that has delivered a marketplace with no capacity to absorb external shocks. We therefore have students being told by the University of Glasgow to defer courses and put their life plans on hold. There is no real strategy that I can see. Frankly, there is not even an understanding from the Government that, if it insists that our universities pursue a never-ending growth strategy, it must put in place the policies to make that possible. In short, if we have more students, we require more houses, but universities have told me in recent days that things are going in the opposite direction.

The rent freeze is an emergency measure, and it is right that we act.

Stephen Kerr: I am a great admirer of Michael Marra's intellect, and he is making a startling case for voting against the bill. Why is he not voting against it?

Michael Marra: I am absolutely not making such a case. Mr Kerr has not listened to the totality of what I am saying. There is an urgent need to ensure that we freeze rents across the country. My concern is that, in the long run, we have to bring supply back online as quickly as possible, and that requires engagement from the Government in doing that work, which has been sadly lacking so far.

Paul Krugman has said that rent freezes are "among the best-understood issues in all of economics",

and that is precisely because they have been tried in many places, many times. Long-term rent controls will inevitably choke off supply, and it is supply that is the honest answer—the only answer—to ensuring that more people have a place to call home.

16:53

John Mason (Glasgow Shettleston) (SNP): We have had a hugely damaging budget from the Conservatives at Westminster—it was so disastrous that even the Conservatives at Westminster would not back it. Thankfully, the Conservatives have now backed down on abolishing the 45 per cent rate, but there is very little in the budget to help those who are struggling the most. The question is: how can a much more reasonable SNP and Green Administration tackle poverty and inflation with the limited powers that we have?

Stephen Kerr: Will the member give way?

John Mason: Let me get going a wee bit.

Rent is a key and essential part of many people's expenditure, and it is something that the Scottish Parliament can impact on, so it makes sense to look at what we can do on it. We have all heard the accounts of dramatically increased rents, especially in the private rented sector. It seems that some landlords have been increasing rents to as much as the market will accept rather than linking increases to inflation or actual costs. Therefore, I fully support the action to tackle the issue through the bill. However, not all landlords have been increasing rents in that way.

Graham Simpson: Earlier, I mentioned a report by the cross-party group on housing. One thing that we found was that there is a lack of robust data on rents in Scotland. Does the member agree with that?

John Mason: I am sorry. I am not on either the committee or the cross-party group, so I would struggle to comment in detail about that.

Not all landlords, though, have been increasing rents in such a bad way, and I think that we have a challenge in drafting legislation that will restrain the bad landlords without punishing those who have been responsible. Some landlords in both the private and social rented sectors have kept rents down in recent years and therefore do not have reserves or savings to absorb a rent freeze.

Housing associations, in particular, have been in touch in recent days, as Mr Doris and Mr Rennie have already said, and we had the Scottish Federation of Housing Associations at the Finance and Public Administration Committee last Tuesday. Its main points would be that housing associations have been keeping rents below inflation in recent years; they were looking at increases of perhaps 5 per cent or 6 per cent next April, which would be well below inflation of 10 or 13 per cent.

Jeremy Balfour: Will the member take an intervention?

John Mason: No—I will carry on, if you do not mind.

Even that level of increase would mean curtailing new building. One association based in my constituency told me that even without this legislation, it had agreed with lenders to borrow £90 million in the next few years, which was partly to refinance existing loans and partly for development. It is now reducing that borrowing to £50 million purely to refinance and complete existing projects. It will not commit to any more new build for the time being.

If rents are frozen from April, housing associations also tell us that improving properties for energy efficiency will have to be put on hold, further restrictions on rent could mean staff reductions and reduced maintenance, and the main beneficiary of a rent freeze, as has been pointed out before, would be the Department for Work and Pensions, which pays 60 or 70 per cent of all rents.

The problem for most housing associations seems to be that they have to balance grant receipts, what they can borrow, reactive and cyclical maintenance and rent increases. Any surpluses or deficits go into or out of that same pot. I used to work in the sector as an accountant and can confirm that that is the case. Therefore, restrictions on rent increases inevitably mean cuts elsewhere.

I accept that even housing associations are not all in agreement. Members may have seen that Parkhead Housing Association, which is in my constituency, had a letter in *The Herald* yesterday arguing that there could and should be a freeze of up to a year, or perhaps even more, although it would want to be allowed to catch up again in the future. However, I do not think that that is the thinking of the majority.

I noted that, at paragraph 37 in the financial memorandum to the bill, it is accepted that,

“If a freeze is extended post 31st March 2023 the Scottish Government may be required to provide resources to protect RSLs whose financial viability is threatened due to loss of rental income.”

That strikes me as a scenario we do not want to be in.

Jeremy Balfour: Do you think, if we have to go ahead with the legislation, that a better way forward would be simply to have a six-month freeze up to March and then, if we need to do it again, to introduce primary legislation at that point, so that housing associations have a better idea of what is going to happen, rather than having this dagger hanging over them for another 12 months?

John Mason: I think that we want to review things in April, so that there would perhaps be more differentiation between good and bad landlords, as I have suggested. I also point out to Mr Balfour that I think he suggested in his speech that the Government would have power to extend beyond 31 March, whereas, in fact, that is not the case: Parliament will have the opportunity to make that decision.

Finally, in relation to local authority housing, which we do not have in Glasgow, COSLA made the point in its briefing that

“Rent caps are really not needed for ‘affordable housing’ as it is ‘affordable’.”

Therefore, I have series of questions to ask in this stage 1 debate. Are we distinguishing enough between responsible landlords—both RSL and private landlords—who have kept rents down in recent years and those who have made excessive profits? Could we take past rent increases into account—over the past three to five years, for example—when we set limits going forward? Should it be an actual cap in money terms or should it be in percentages, so that landlords with existing lower rents even within the social rented sector are not disadvantaged?

I realise that I am running out of time, so I would just welcome the fact that the legislation is to be in place up to 31 March and that it is going to be reviewed during that time. I hope that, in the new year, we can revisit it and consider different options after 1 April.

The Deputy Presiding Officer: We move to closing speeches.

16:59

Pam Duncan-Glancy (Glasgow) (Lab): People across the country are in dire straits. The Tories have abandoned them and the SNP is not doing enough, either. I agreed with Patrick Harvie when he said, in his opening remarks, that we are in a humanitarian crisis. Although the mortifying UK Government U-turn on income tax might hold back some of the damage that was irresponsibly inflicted on the pound last week, we have now seen just how willing the Prime Minister and her chancellor are to play games with our economy and people’s lives. Their haphazard approach in introducing such severe economic measures with no consultation, no forecasts and no Cabinet oversight, is terrifying.

Stephen Kerr: Does Pam Duncan-Glancy welcome the energy price guarantee—announced two weeks ago—which supports families in this country and gives the greatest help to those who are in the most need? Does she welcome that measure from the UK Government?

Pam Duncan-Glancy: I would welcome any measure, but that one has been largely wiped out by what the UK Government has done in recent weeks.

I know that the SNP agrees with Labour about the recklessness with which the Tories have wreaked havoc on our economy. Paul McLennan certainly made that clear. That is why I cannot help but wish that the SNP had not squandered opportunities to take action on rent years ago, when my colleague Pauline McNeill suggested it. It is also why I wish that, more recently, in March, it had not copied the Tory scattergun cost of living mitigations and, in so doing, missed the opportunity to divert support to the people who

needed it most. Instead, the SNP, too, lined the pockets of the wealthy while failing to do anything specific for disabled people and unpaid carers and barely scratching the surface for low-income families. Meanwhile, members on the Labour benches were writing the SNP a fully costed plan that set out how to do just that, using a targeted approach rather than spreading the money so thin that its impact was diminished for those who were feeling the heaviest weight of the crisis. Of course, that plan included a temporary rent freeze and a winter evictions ban. My colleague Mercedes Villalba put forward a vote on exactly that back in June, and SNP and Green members refused to vote with us.

I am pleased that they have listened to us, Living Rent and the trade unions and that, today, they share the Tory penchant for a U-turn and have come round to the idea. However, I stress to the Government that there are real-life impacts to its delay, as members have already heard in grim detail from Mark Griffin. In the time since we urged the Government to take action, rents have already risen, as Carol Mochan has clearly set out. My inbox is filled with emails from constituents in Glasgow who are unable to afford a roof over their head—in particular, disabled people, young people and students. My colleague Michael Marra has eloquently set out the challenges that students face, which must be addressed. More families are finding themselves homeless than ever before, with the homelessness rate among children increasing by 17 per cent since last year.

Delays have consequences and brave Governments take action without delay. Many people are facing rent increases that have been enforced over the summer months as some landlords responded to the cost of living crisis faster than the Scottish Government did. A rent freeze now is too late for those people. Had the Government listened to Mercedes Villalba in June or to Pauline McNeill in the previous parliamentary session, those people would not be experiencing those rent increases.

It is not just delays that have consequences. The lack of ambition and scale of change of the Greens and SNP have consequences, too. Richard Leonard set those out today, perfectly angrily, and I was disappointed to hear the minister's response. I am old enough to remember when Patrick Harvie would have been squarely on the side of tenants.

Like other members, I would like reassurance on the wider impacts of the bill and, specifically, I would welcome the Government's reassurance that the bill will not impact the social housing programme and that social housing landlords will not face a black hole of costs to make essential improvements to their homes if the freeze is

extended. On that point, I ask that, in the minister's closing speech, he tell the Parliament the date when it will be able to vote on his recommendations on the decision to extend or change the provisions of the bill so that registered social landlords can plan for the future.

Finlay Carson: Will Pam Duncan-Glancy take an intervention?

Pam Duncan-Glancy: Can I have my time back, Presiding Officer?

The Deputy Presiding Officer: I am afraid that we are now tight for time, so you will have to accommodate the intervention in the time for your speech.

Pam Duncan-Glancy: I will try to fit it in. I will take a brief intervention.

Finlay Carson: Does Pam Duncan-Glancy agree that much of the situation that tenants face is down to demand outstripping supply and to the SNP Government failing to address the chronic undersupply of social housing over the past 15 years?

Pam Duncan-Glancy: I agree that demand is outstripping supply and that not enough work has been done on that, but that does not address the problem that we have right here, right now.

The SNP's failure to act quickly enough on rents was a failure to protect my Glasgow constituents and others across Scotland. The SNP has not just let them down on pace; it has let them down on scale. We heard today, not for the first time, that the SNP and Greens have put £3 billion into the cost of living crisis. They have not done that, and we must say so. That figure includes actions from years and years ago, some of which the Labour Government legislated for. According to the Scottish Parliament information centre, the actual figure for the cost of living interventions from the SNP-Green Government is a sixth of that, at closer to £500 million. That is welcome, but I ask the Government not to inflate its actions while families cannot feed their children. All that does is mask reality and lead to complacency.

Scottish Labour has set out a platform of ideas for the Government to pick from and that could raise the scale of the support on offer. Sadly, there is an inevitable pattern of shouting down those ideas. Cabinet secretaries say that they welcome ideas from across the chamber, but they do not act on them. Maybe this bill is a turning point. If so, I would like to seize the opportunity and invite the Government to consider our suggestions for further action.

The Government could make transport more affordable by halving rail fares and freezing those for a year, creating online fuel price checkers and supporting local authorities to reduce the cost of

bus journeys. The Scottish Government could not only save people money on crucial outgoings like transport or give them a rebate on their water bills, it could also help people to get out of problem debt. People are now taking on debt just to afford basic essentials such as food and rent, not to pay for TVs or holidays. I hope that the Government will consider action on debt in short order.

When the Social Justice and Social Security Committee carried out our inquiry, we heard that public authorities often aggressively pursue debt, so there is much that the Government could do on that, including by ensuring that people who are in debt keep more of their money by raising the threshold of protected income and by protecting funds from carers or disability benefits. Not to do so creates the risk of destitution.

Action should also be taken to write off school meal debt. Aberlour found that 11,000 families across Scotland are unable to pay for their children's school meals. Labour-led South Lanarkshire Council has already set the gold standard here by wiping out existing school meal debt, providing relief to my constituents in Rutherglen. The Government could and should do the same across Scotland.

In addition, £250 million of council tax debt was referred to sheriff officers in 2021. If the SNP had kept the promise to abolish council tax that it first entered Government on, that debt would not exist. However, it does and it is crippling people who are struggling. We believe that the Government should consider what more it can do to ease the burden of council tax arrears.

Having been on the back foot after the pandemic, people are being pushed to their limits by the cost of living crisis. They need support, which is why it is essential to properly fund money advice services, which are stretched to their limit. We must ensure that they have the resources that they need to keep providing lifeline services to anyone who turns to them.

I welcome the aim in the bill to address the health and wellbeing impacts of unaffordable rent rises and ask the Government to set out in closing what it will do to support third sector organisations to help people.

Scottish Labour, as the original proponents of the rent freeze, will support the bill, but we believe that there is far more that the Government must do to address the cost of living in Scotland. We have simple, cost-effective solutions in front of us to do that. I hope that the Government will consider those wider actions, not delaying as it did on rent freezes, and will set in motion the wider action that is needed to get people through the cost of living crisis and ultimately to save lives in Scotland.

17:08

Murdo Fraser (Mid Scotland and Fife) (Con): I remind members of my entry in the register of members' interests. I am a member of the Law Society of Scotland and also have an interest in two residential properties that are let on a long-term basis.

It takes a particular type of Government to identify a problem that affects hundreds of thousands of Scots and then to actively propose a change in the law that will make matters worse for those people. It takes a particular type of Government minister to put forward a policy when the evidence suggests that it will exacerbate the problem that he claims he wants to solve. That is what we have in the bill before us.

I will start with a word about process. Graham Simpson talked about the fact that the bill is being rushed through Parliament in three days with no time for detailed scrutiny or for consultation with those who are affected. Mr Simpson is the convener of the cross-party group on housing: he is something of an expert in the field and probably knows what he is talking about on this subject. He commented on the fact that Parliament is rushing the bill through. We first saw the bill at 5 o'clock last night. There is no time for Parliament to give it the scrutiny that it deserves, given its wide-ranging consequences, which we have heard about in the debate. Rushed law is bad law, and I fear that that is what we are about to make.

There are already significant issues with the provision of private rented accommodation across Scotland, particularly in our cities. Rents have been rising—that is true—fuelled by a shortage of available accommodation. Roz McCall reminded us that, just two weeks ago, the University of Glasgow was advising students that they might have to consider either suspending their studies or withdrawing from courses due to the chronic lack of rented accommodation in the city.

Just last week, we heard that students in Edinburgh were having to be offered beds in dormitory-type accommodation because there was simply nowhere else for them to stay, and letting agents report that there has been a significant and on-going reduction in the number of private-sector tenancies coming to the market.

Patrick Harvie: Given Mr Fraser's very passionate concern about supply, I am surprised that he has not whole-heartedly welcomed the measures that we have taken in relation to short-term letting, which has siphoned off what should be proper, affordable homes for people into, in effect, untaxed hotel businesses.

Murdo Fraser: Mr Harvie does not even want to talk about the bill that he is proposing today, which

is the one that is going to have a negative impact on the supply of rented property.

We are already seeing private landlords who are frustrated by changes in tenant legislation withdrawing their properties from the market, selling them up or putting them into other use such as short-term lets. Those properties that are available too often see a bidding war and higher rents.

Finlay Carson: Does Murdo Fraser agree that the SNP-Green Government has failed to see the bigger picture? We have just heard about that. The interests of tenants and the interests of landlords are not in opposition but, with the prevention of any and all evictions and the freezing of rents, which sounds like an easy, short-term solution, tenants may lose out in the long term.

Murdo Fraser: I absolutely agree with that intervention from Mr Carson, who makes his point very well.

I can understand that the Scottish Government, in response to the rising cost of living, thought that it was clever politics to bring in a six-month rent freeze to apply until the end of March next year, but it seems that it did not consider that that would exacerbate the difficulties that we have already seen in the private rented sector. John Blackwood, the chief executive of the Scottish Association of Landlords, said that, in response to what was announced by the Government, he had been

“inundated by landlords saying they will be removing their vacant properties from the rental market”.

The consequence of the bill will be to reduce still further the availability of properties in the private rented sector, leaving students and others in an increasingly desperate situation. It is simply unbelievable that we have a Scottish Government and a minister who are so arrogant that they cannot see what the outcome of their actions will be. At least we heard from Michelle Thomson, on the SNP benches, a recognition that there will be an impact on the supply of properties if the bill goes through.

However, it is not just in the private rented sector that we see concerns. A number of members including Willie Rennie, Bob Doris, Graham Simpson and others talked about the impact on the social rented sector. The Scottish Federation of Housing Associations, which represents the providers of social housing across the country, has warned that the policy will threaten both the Scottish Government’s ambitions on affordable house building and those on climate change, as well as its members’ ability to provide their tenants with exactly the kind of targeted support that is required in these difficult times. It says that several of its members have already

been forced to cancel plans for kitchen and bathroom renovations for the next several years due to the projected loss of income from the bill.

We have also heard—and we heard during the debate—that the massive investment in our housing stock that will be required to help to meet net zero ambitions will be jeopardised by the bill, as indeed will the construction of new social housing projects. Willie Rennie quoted Kingdom Housing Association in Fife, which I referred to in the chamber last week. It has expressed exactly those concerns, which a number of other housing associations have also referred to.

The bill will initially introduce a rent freeze for only six months, but there are real concerns that there are plans to introduce rent controls going further than that—a move that can only make the situation much worse. That point has been made very well by both the Scottish Federation of Housing Associations and COSLA.

On local government, I was interested to see the suggestion in the policy memorandum that, should the cap be extended, that

“will remove at least £50 million in income ... from the business plans of Registered Social Landlords, and at least £230 million over the four years to March 2027.”

Where is that money going to come from? Who is going to make that money up in the budgets of social landlords or of local authorities? We have had no answer on that point from the minister, so I hope that it will be addressed in winding up.

As COSLA said in its briefing, it is extraordinary that the Government is centralising power over rent setting—rent setting has never before been taken out of the decision making of local elected members as a sphere of government. Again, the Government has shown nothing but contempt for local government, and it is centralising power in its own hands.

As Stephen Kerr and other members reminded us, all the international evidence shows that rent controls cause housing shortages. That has happened in Ireland, where, following the introduction of rent control zones, as at 1 August, only 716 homes in the entire country were available for rent.

There are similar issues elsewhere. The average waiting time to lease a rent-controlled property in Stockholm currently stands at nine years. As Jeremy Balfour said, a grey market in rent-controlled properties has emerged in Berlin, in which landlords demand that, as a condition of renting, tenants pay a ridiculous price for furniture, kitchen appliances and other basic amenities, in order to get around the rules on rent control.

The danger is that we will see the same, and yet, rather than look at the international evidence,

it seems that Patrick Harvie and everyone in the Scottish Government believe that, somehow, Scottish exceptionalism means that we can buck the trend and introduce rent controls here without the adverse impacts that have been seen elsewhere.

When it comes to the cost of living, serious issues need to be addressed. The UK Government's substantial intervention to cap the cost of energy will deliver real benefits, particularly for those on low incomes, who spend a high proportion of their income on heating costs.

Shona Robison: I am surprised that any Tory member would try to make that argument. Murdo Fraser must know that every penny of that, and more, is wiped out entirely by the rises in the cost of food and fuel, because of the inflation that is driven by his Government—and, for those who own their home, by interest rates that are going through the roof.

Murdo Fraser: The Scottish Government has a record high budget—the highest in the history of devolution. What is it doing to help with the cost of living? It is making matters worse. Perhaps the Scottish Government could look at supporting tenants to pay rent, rather than bringing in a rent freeze.

It claims to support landlords, who are facing additional costs. That is a fig leaf. In the event that costs and mortgages go up, landlords are allowed to increase rents by just 3 per cent. If interest rates go up, as the cabinet secretary has suggested—they might go up by much more—landlords will be left out of pocket.

Again, an SNP-Green Scottish Government is not listening to those in the sector, is not listening to those who represent letting agents and private landlords, is not listening to local authorities, and is not listening to those in the social rented sector. It is railroading through Parliament a piece of emergency legislation without proper scope for scrutiny and amendment, and is failing to properly consider what the intended consequences will be.

I fear that Patrick Harvie's legacy, as a result of the bill, will be the driving up of homelessness in Scotland. That will be a sorry legacy. The Parliament should reject the legislation.

The Deputy Presiding Officer: I call Patrick Harvie to respond to the debate, for around 12 minutes.

17:18

Patrick Harvie: It has been—shall I say?—a lively and wide-ranging debate. The differences of views and the divergence of values among members have been well expressed. Some criticisms and concerns about the bill have been

expressed seriously, and I will try to address those. Others have been a little more on the silly side. In particular, I find it difficult to take seriously Murdo Fraser's accusation that we are only doing this because we thought that it was clever politics. That comes from the party that thought that it was clever politics to abolish the top rate of taxation, until it realised that everybody outside of Tufton Street was revolted by the values behind such politics.

Murdo Fraser: If the root cause of rising rents is the mismatch between supply and demand, why has Mr Harvie introduced a piece of legislation that will reduce supply?

Patrick Harvie: I do not accept the premise that it will, and I do not accept that that is the only issue affecting rent rises. It is not the only one; there are also landlords who are raising rents simply—I quote a landlord—

“to keep pace with the market”.

That is simply exploitation.

I want to address some of the slightly more technical points that have been raised. In particular, there are valid questions around reporting duties on Government and decisions about how any possible extensions of the measures will be taken forward. There are questions about whether there will be robust planning and reporting. Those are very fair questions—

Miles Briggs: Will the minister take an intervention?

Patrick Harvie: I would like to make some progress.

I engaged with the Local Government, Housing and Planning Committee this morning and offered to remain engaged with it on that point.

It is clear that, under the bill, we have to review its operation every three months and consider whether the provisions “remain necessary and proportionate”. We will have to review whether the rent freeze and eviction moratorium remain necessary and proportionate in the light of changing economic circumstances, and that will include considering the available evidence on the impact of the measures and how that changes over time.

Miles Briggs: Will the minister take an intervention?

Patrick Harvie: Briefly.

Miles Briggs: Can the minister outline why the figure of 3 per cent was arrived at as the maximum increase for rents agreed by the adjudicator?

Patrick Harvie: That figure is not an absolute. A provision exists in the bill for the Government to

change it, and we will look at that in the light of changing circumstances.

Throughout the debate, there were a number of calls for the Government to spend more money on all aspects of housing. Members should understand that, if we were able to throw more money than we have done already at direct tenant support, social housing provision, retrofitting, the cost of running the tribunal and the wider cost of living measures that Pam Duncan-Glancy mentioned, we would. We have a strong track record of prioritising those things, but we also have to say that we do not yet know what scale of brutal cuts are coming down the line from the United Kingdom.

Edward Mountain: Will the minister give way?

Patrick Harvie: I am going to have to make some progress.

The emergency budget review will have to consider all those things.

Several members have questioned the purpose and necessity of the measures, and I welcome the comments from Mark Griffin and members on the Labour benches, who recognise that thousands of people are being pushed to the brink in a crisis that is being made worse by the UK Government. Elena Whitham spoke of a “clear and present danger” from the current cost crisis and recognised that some of that has been at the hands of the chancellor over the past couple weeks.

The measures in the bill provide direct protection in terms of rent, but they do more than that; they also provide a sense of security. A good reason to ensure that all tenants in all sectors have equal protection, at least for the first six months, is to ensure that everyone has that sense of security. Emma Roddick spoke about the direct connection between a sense of being secure in one’s home and the impact on mental health.

I want to emphasise briefly a couple of aspects that did not come up very much in the debate, which I hope that we will discuss later in the week: the measures on penalties for unlawful evictions and the changes to rent adjudication. Those things will be very important in how the wider measures are implemented, and I hope that we will have further discussion of them later in the week.

Clearly, for some in the chamber, the provisions signal the end of private renting or some sort of imagined hostility that we have towards the rental sector, but, for others in the chamber, the measures do not go far enough.

Richard Leonard’s suggestion that the bill does nothing to strengthen tenants’ rights is, I am afraid, frankly absurd. It is very clear that some members think that none of this should be done at all, and

others are demanding the impossible. Mr Leonard asked why we are not placing the onus on landlords. That is exactly what the bill does: landlords will be the ones who have the opportunity to apply for a prescribed set of costs to be taken into account, within clear limits.

Richard Leonard: This afternoon we have heard an awful lot about the defence of landlords’ rights. Patrick Harvie is the minister for tenants’ rights. Does he not accept that our argument is not that these should be simply temporary changes to the balance of power between tenants and landlords but that they should be permanent changes?

Patrick Harvie: I do, and that is why the Government has a long-term programme of reform under the new deal for tenants, on which we have consulted and on which we will be working in relation to permanent legislation. Richard Leonard is well aware that temporary, emergency legislation needs to be justified as being proportionate in relation to the immediate circumstances. That is what we are doing.

I will move on. A great many members spoke about what they see as being the potential impact on the social rented sector. That is extremely important to the Government. From their different perspectives in the debate, Miles Briggs and Mark Griffin shared their concerns on that, some of which are very legitimate. Some members suggested that the measure has already had an impact on the rental income of RSLs. That is not the case. It will have no direct impact on the rental income of RSLs during the first six months.

Edward Mountain: Will the minister take an intervention on that point?

Patrick Harvie: No.

Indeed, how about the UK Government having an immediate impact on RSLs’ borrowing costs? Just today, during the debate, we have seen—yet again—a major lender saying that it is increasing its interest rates. That will have an impact on RSLs’ ability to borrow. I guarantee that that move was not a response to the Scottish Government’s emergency legislation; it was a response to the UK Government’s mini-budget.

Liam Kerr rose—

Edward Mountain: Will the minister take an intervention?

Patrick Harvie: I will give way to whoever asked for an intervention.

The Deputy Presiding Officer: I call Edward Mountain.

Edward Mountain: I am looking at the bill’s financial memorandum. My problem is that the Scottish Government estimates the cost to

landlords as being somewhere between £3 million and £32 million. That will have a direct effect on Government income, because less income tax will be raised. Could the minister not be a bit tighter on that figure? Does he have a feeling for how much it will affect the income coming in to the Government?

Patrick Harvie: I do not believe that we have yet precisely modelled the revenue that would come to the Government through income tax. However, of course, many of the measures in the bill are subject to extension or potential early expiry if the economic circumstances change. For example, on prescribed limited costs, the percentages—50 per cent and 3 per cent—will be variable throughout the life of the legislation.

Before that intervention, I was talking about the impact on the social rented sector, and I said that it has not been immediately to reduce RSLs' rental income. However, we want to give the social rented sector confidence that long-term impacts will be taken into account and that we share its priorities in relation to its fundamental purposes.

Social landlords exist for a social purpose. They invest not only in quality, affordable rented housing but in retrofitting, the net zero agenda and a wide range of other services. The Government shares that priority and understands the ways in which the sector is fundamentally different, in that rental income is reinvested for the public good—members have mentioned various other differences. That is why we have invited representatives of the social rented sector and others to participate with us in a short-life task and finish group that will inform how such measures are used in the longer term. The first meetings of that group have been productive and have recognised those circumstances. I genuinely believe that creative thinking is already being brought to bear on how we can go forward in a way that protects tenants without endangering those other priorities. [*Interruption.*] Presiding Officer, is there a problem?

The Deputy Presiding Officer: I am trying to catch Mr Fraser's eye so that I will not have to call him out for carrying on a private conversation while you are speaking, minister. Please continue.

Patrick Harvie: Thank you, Presiding Officer.

RSLs are not-for-profit bodies. They exist to meet social need, and we share their priority of protecting public investments.

I want to move on to talk briefly about the private rented sector. There have been claims—I am not sure that they are justified—about a direct impact on supply. Over the years, there has been an improvement in the quality of regulation of the private rented sector. At the same time, that sector has continued to expand. I have here a quote from

Springfield Properties, which is a build-to-rent business that recognises that the proposed temporary measures are

“designed to support families facing fuel poverty this winter”.

It goes on to say that it continues to believe that

“the delivery of PRS housing offers a viable revenue stream in the longer term”.

I am not sure that I agree with the idea that short-term regulations would fundamentally change the long-term viability of the sector.

Elena Whitham was right to point out that several countries in Europe have more regulation than we have, with long-standing rent control systems; they also have a thriving rented sector, including through private investment. There is an analogy with the scaremongering that was brought in when people first debated a minimum wage; some of those arguments were clearly born out of self-interest and they did not come to pass. In many ways, the arguments around rent controls are similar.

There is a wider question. If we do not do this—if we do not accept responsibility for controlling some of the eye-watering rent increases that some of our constituents have faced just because we believe that that is how the market works—we will leave our constituents in a simply unacceptable situation. It is clear that the cost crisis is felt here and now by people who rent their homes, and we are determined to take action to help people keep a roof over their heads during a crisis that is not of their making.

The bill that we have introduced presents a package that is impactful, practical, radical and robust. Its purpose is to offer increased protection to tenants who are more vulnerable to the cost crisis than others are. By including safeguards that address the specific, defined and limited circumstances that some landlords will face, the bill recognises that the cost crisis can impact them, too, and it also builds a bridge towards our longer-term work on a new deal for tenants.

In conclusion, many of the important points that members have made today have been heard, and I am grateful to the members who made them. I am also grateful for the time that the committee took this morning to consider the bill, and I look forward to the discussions continuing as members debate it over the rest of the week.

The Deputy Presiding Officer: That concludes the debate on the Cost of Living (Tenant Protection) (Scotland) Bill at stage 1.

Cost of Living (Tenant Protection) (Scotland) Bill: Financial Resolution

17:32

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of motion S6M-06179, in the name of John Swinney, on a financial resolution on the Cost of Living (Tenant Protection) (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Cost of Living (Tenant Protection) (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.—[*John Swinney*]

Cost of Living (Tenant Protection) (Scotland) Bill: Stage 1

17:32

The Deputy Presiding Officer (Liam McArthur): The question is, that motion S6M-01678, in the name of Patrick Harvie, on the Cost of Living (Tenant Protection) (Scotland) Bill at stage 1, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

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

17:32

Meeting suspended.

17:35

On resuming—

The Deputy Presiding Officer: We move to the vote on motion S6M-06178, in the name of Patrick Harvie, on the Cost of Living (Tenant Protection) (Scotland) Bill at stage 1. Members should cast their votes now.

The vote is now closed.

Clare Adamson (Motherwell and Wishaw) (SNP): On a point of order, Presiding Officer. My device did not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Adamson. We will make sure that your vote 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)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 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)
 Dornan, James (Glasgow Cathcart) (SNP)

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)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 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)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse)
 (SNP)
 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)
 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)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (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)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley)
 (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 88, Against 29, Abstentions 0.

Motion agreed to,

That the Parliament agrees to the general principles of the Cost of Living (Tenant Protection) (Scotland) Bill.

Cost of Living (Tenant Protection) (Scotland) Bill: Financial Resolution

17:38

The Deputy Presiding Officer: The next question is, that motion S6M-06179, in the name of John Swinney, on the financial resolution on the Cost of Living (Tenant Protection) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Cost of Living (Tenant Protection) (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.

The Deputy Presiding Officer: Members who are leaving the chamber should do so as quickly and quietly as possible. I will pause to allow changes in the front benches.

Health and Care Recovery (Winter Planning)

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Humza Yousaf on health and care recovery in winter planning. The cabinet secretary will take questions after his statement, so there should be no interruptions or interventions.

17:39

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I welcome the opportunity to provide an update to Parliament on the continued recovery of the national health service from the Covid-19 pandemic and to set out our resilience plans for the coming winter. The past year has been immensely challenging for our workforce, which has, nevertheless, continued to deliver excellent services in the face of multiple waves of Covid-19, increased demand and the most difficult winter period yet experienced.

This year, we could face an even more challenging winter that will be made more difficult by the escalating cost of living crisis and by economic mismanagement by the United Kingdom Government. Our NHS recovery plan and the specific measures that we are taking to ensure resilience this winter represent system-wide solutions to the system-wide challenges.

Resilience and recovery go hand in hand. We have spent months planning for the winter ahead. I turn first to our recovery plan update. Our resilience plans for the winter and beyond are made possible by the commitment that we have made to invest in and reform our NHS. Our plan commits to £1 billion of targeted funding during this parliamentary session to increase NHS capacity, to deliver reform and to support timely access to treatment.

We know that the NHS will not recover in weeks or even months; to be frank, I say that it will take years. We will always be clear, up front and honest about the scale of the challenge that we collectively face. It is therefore critical that we reform our services as national circumstances evolve. We are committed to maintaining a health and social care system that is resilient and adaptable.

I think that I can say on behalf of the entire Parliament that we all owe the health and social care workforce a huge debt of gratitude. There can be no recovery without continued investment in our workforce. The NHS recovery plan commits to growing our workforce. We have invested in our staff through fair pay, increased training and

upskilling opportunities, and widening access to career opportunities.

By April this year, we had recruited more than 1,000 additional healthcare support staff and almost 200 registered nurses from overseas to help to address the unprecedented challenges that our services face. Staffing levels have increased by more than 2,800 permanent whole-time-equivalent roles in the past year. That builds on our strong track record of delivering 10 consecutive years of growth. There are almost 25,000 additional more whole-time-equivalent staff working in NHS Scotland than there were a decade ago. Indeed, staffing in NHS Scotland remains at historically high levels.

General practice is the bedrock of the NHS, and I recognise the pressures that our practices face. To that end, we have expanded community multidisciplinary teams across the country. We have recruited more than 3,220 primary care multidisciplinary team members and increased funding for those teams to £170 million this year, which will be the minimum funding position for future years. That helps patients to access a range of expert advice from a wider team of healthcare professionals who work alongside and support GPs and practice teams. Furthermore, we are making good progress on increasing the number of GPs by 800 by the end of 2027.

Progress on the recovery and reform of planned care in the past year has been impacted by the need to respond to various waves of Covid-19. Despite that, we continue to make progress. Statistics that have come out just today show that 21,218 operations were performed in August, which is a 19 per cent increase on the month before and the highest monthly total since the pandemic began.

Over the past 18 months, we have opened the NHS Golden Jubilee eye centre; procured Carrick Glen clinic in NHS Ayrshire and Arran, which will become the Ayr national treatment centre; opened a mobile operating theatre to enable almost 350 elective surgeries for patients in Orkney and Shetland; and opened a urology hub at Forth Valley royal hospital. In addition, significant progress has been made on the national treatment centre programme. The Fife and Forth Valley national treatment centres are planned to open in early 2023, followed by the centre in Highland and then by the Golden Jubilee phase 2. Work to recruit staff for those facilities is very much under way.

We are committed to reducing long waits. The longer somebody has to wait for an operation, the greater the chance of deterioration and deconditioning. Public Health Scotland data shows that, by the end of August this year, 75 per cent of out-patient specialties had zero or fewer than 10

patients waiting more than two years, and 10 out of 14 territorial health boards had five patients or fewer waiting more than two years.

Between June and August of this year, significant progress was made in several specialisms to eradicate long out-patient waits, including reductions of 48 per cent in general surgery waits, 74 per cent in plastic surgery waits and 96 per cent in cardiology waits. I thank all NHS staff for their phenomenal work to tackle those long waits. Of course, the continued theme of the statement is that there is still work to do.

On urgent care, accident and emergency performance is not where I or the Government would want it to be. Too many people are waiting far too long for urgent care and treatment. Our A and E departments are working under significant pressure and, as with health services across the rest of the UK, the pandemic continues to seriously affect services. We are determined to improve and stabilise performance through working very closely with boards on measures to reduce pressures on our acute sites. However, as winter arrives, those pressures will undoubtedly have a detrimental impact on already stretched services. We will do what we can to mitigate the worst effects of those.

This update on recovery of the NHS is, by its nature, a snapshot of a larger, longer and more complex picture. Over the course of this parliamentary session, we will invest more than £70 billion in delivery of health and social care services. This NHS recovery update demonstrates a clear plan to support health and social care.

I was interested to note that the recent plan for patients that was announced by the UK Secretary of State for Health and Social Care very much resembles work that is already being done in NHS Scotland. Our recovery plan, which was first published in August last year, includes a commitment to increasing NHS capacity by at least 10 per cent as quickly as possible in order to help to address backlogs. It committed to scaling up use of technology and use of NHS Near Me. In the same plan is a commitment to ensuring that all Scotland's general practices have support from pharmacy and nursing practices.

Those are just a few of the policies that are already being delivered in Scotland that have subsequently been announced by the UK Government. We will continue to work tirelessly to deliver the ambitions that are set out in the recovery plan, and we will provide the next progress update in a year's time.

Winter will come between then and now, of course. To help us to mitigate the challenges that winter will undoubtedly bring, we are investing £600 million in total to support services over what

we expect to be an extremely challenging season. We know that if Covid transmission rises in our community there will be significant impacts on our health and social care services. That is why our winter vaccination programme is very much under way. More than 2 million people in Scotland will be offered Covid-19 and flu vaccines by the holiday season. That will help to protect the public and relieve pressure on the NHS.

We have been working for several months with NHS Scotland chief executives, directors of planning and executive leads for resilience to plan for the significant pressures that we fully expect this winter to bring. “Scottish Government Winter Resilience Overview 2022-23”, which was published today and contains priorities that have been agreed with our partners in the Convention of Scottish Local Authorities, builds on our response to last winter and involves Government at national and local levels, with delivery partners across the system.

We are working with the British Medical Association and the Royal College of General Practitioners to increase accessibility to primary care and to ensure that appointments can be made with the most appropriate person—whether that be a general practitioner, a physiotherapist, a pharmacist or another appropriate member of the multidisciplinary team—to help people throughout the course of this winter.

This winter, we want to see improved call waiting times at NHS 24 and improved patient outcomes. We will be using a suite of tools, including the NHS 24 app, to support people throughout Scotland.

Our winter resilience overview focuses on recruitment, retention and the wellbeing of our health and social care workforce, with the aim of expanding and supporting our workforce over the course of the winter period. To boost our NHS workforce, which has already grown by almost 9 per cent since December 2019, we are making £8 million available this winter to support boards in recruiting up to 750 additional nurses, midwives and allied health professionals from overseas. In addition, NHS boards have identified that they will recruit an additional 250 band 4s across the system over the coming months. That investment, which allows for the significant recruitment of 1,000 additional staff over the course of the winter, will be a welcome boost to our workforce in health boards throughout the country.

The offer of paid part-time work to health and social care students and additional measures that are designed to support opportunities for volunteering across the NHS are also contained in our plan.

As well as recruitment, we are supporting the retention of our existing workforce through new retire and return guidelines, and by devolving powers to NHS boards to utilise local flexibilities within NHS pension arrangements. Some £200 million of the £528 million that has been allocated to health and social care partnerships for winter pressures funding has been set aside to increase the hourly rate of pay for people who work in social care to £10.50.

We are investing £45 million in the Scottish Ambulance Service to support recruitment and service development this year. That includes plans for winter.

We have managed to avoid 45,000 hospital bed days this year through expanding our virtual capacity, and we will continue to invest in hospital at home.

Presiding Officer, the coming months will be another test for our health and social care system and its incredible workforce. I wish that I could stand here and tell you and all members that we will be able to mitigate every challenge that this winter will throw at us, but recovery is a process, and I have always been up front in saying that the recovery journey that we are on will take years—not weeks or a few months.

I hope that our winter plan has set out the measures that we will take to bolster the workforce and reduce demand by treating people at home, or as close to home as possible, during this difficult period.

I wish to end where I started, by thanking our incredible NHS and social care staff for all their unbelievable efforts across the course of this pandemic. There can be no recovery if we do not take care of people’s wellbeing, which is this Government’s top priority.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues that were raised in his statement. I intend to allow about 20 minutes for that, after which we will need to move on to the next item of business. I ask members who wish to ask a question to press their request-to-speak buttons now or as soon as possible, if they have not already done so.

Tess White (North East Scotland) (Con): All members in the chamber pay tribute to the outstanding work of health and social care workers across Scotland, but the reality is that they have been badly let down by the Scottish National Party-Green Government.

The NHS recovery plan was published more than a year ago, but things have gone from bad to worse. Only today, we heard that August’s A and E waiting times were the worst on record across every category. There are already reports of

ambulances stacking up outside emergency departments, often for hours, including at Aberdeen royal infirmary in my region, and that is well before the winter months arrive.

The system is not just stretched, it is overstretched. Few people, apart from SNP members, will be reassured by the cabinet secretary's statement, so I will put three questions to him. First, his statement mentions improved call waiting times for NHS 24. Given that, in June, one patient waited two hours, eight minutes and 15 seconds to be answered by an operator, can the cabinet secretary tell us how that will be achieved and what he considers to be an acceptable waiting time?

Secondly, there is no mention in the statement of NHS dentistry, which is at breaking point. Does the cabinet secretary realise the catastrophic impact that his funding cuts will have on the dentistry sector?

Finally, the statement mentions growing the NHS workforce through recruitment, but there is almost nothing about retention. Nursing vacancies are up by as much as 25 per cent compared with last year. Therefore, what is the Scottish Government doing to improve retention of NHS workers?

The Deputy Presiding Officer: Before I call the cabinet secretary, I advise members that there is a lot of interest in asking questions, so questions will have to be more succinct or keep to time—so, too, will the responses.

Humza Yousaf: Taking that cue, I am happy to follow up with members if they feel that anything is missing from any of the answers that I give.

In relation to the overall deterioration of certain aspects of care that is provided, Tess White is right to mention that A and E figures are not where we want them to be. The monthly figures that came out for August in Scotland showed that 66.1 per cent of patients were seen within four hours. In England, that figure was 55.8 per cent, so we continue to be the best performing. I accept that that is cold comfort to people who are waiting for far too long. I give that information to provide the important context that health services across the UK—in fact, many health services across the world—face the same problem.

The example that Tess White gave of a patient waiting for as long as she outlined is simply not good enough. I expect that to be the exception—in fact, I know it to be the exception, because we know what median call waiting times are. We will support that through additional recruitment. I was pleased to be at the Dundee NHS 24 hub, where an exceptional workforce has been recruited to bolster NHS 24's capability and capacity. I can

write to Tess White with more detail on what we are planning to do with NHS 24.

Additional funding for dentistry is covered in our plan. In my statement, I was able only to give a small snapshot of our overall plans for dentistry. We will continue to make bridging payments between now and the end of the financial year. Those payments will be 20 per cent on top of the fees that are currently paid and will then go to 10 per cent. Again, I can write to Tess White in more detail about the significant impact that those payments have had on increasing NHS dental examinations in the most recent quarter, which I am very pleased about.

The member is absolutely right that retention must be a key plank of our plan. I will make three points on retention. First, if she looks at the detail of the plan—I outlined some of this in my statement—she will see that we will invest in the wellbeing of the workforce, as that helps with retention.

Secondly, we have allowed there to be some flexibility around pensions, which the BMA has been calling for to help with medical staff. We will devolve to boards powers related to the recycling of employers' contribution scheme. I think that other members have called for that.

Thirdly—again, I am happy to provide Tess White with more detail about this offline—we are making changes to the retire and return policy. That is a direct result of a meeting attended by the Royal College of Nursing at which a number of members, including Craig Hoy, Jackie Baillie and Alex Cole-Hamilton, told us that there had to be a better retire and return policy. We have implemented that.

Jackie Baillie (Dumbarton) (Lab): I thank the cabinet secretary for advance sight of his statement, and I associate myself with his remarks about thanking our NHS staff.

In the 500 days for which the cabinet secretary has been in charge, things have got worse. There is little recognition of the scope of the challenge in the new plan. Nurses are being balloted for strike action, and there are 7,500 vacancies across the NHS, which is a staggering increase of 169 per cent since the Scottish National Party came to power. Staff tell me that patients are at risk because wards are short staffed—in some wards, there is one nurse to 30 patients. In addition, as many as 50 per cent of junior doctors are thinking of leaving.

Given that staff are the backbone of our NHS, that amounts to a catastrophe on the cabinet secretary's watch. What action will he take? How many more nurses and doctors can we expect to have for this winter?

All the medical experts, including the RCN, the BMA and the Royal College of Emergency Medicine, have been telling the cabinet secretary time and time again that he should invest in tackling delayed discharge to deal with the long wait at A and E, but, under his watch, we have lost 740,000 bed days.

Does the cabinet secretary not understand that he could lose the confidence of the medical profession in the face of a long and difficult winter ahead? Does he not agree that he will have failed if the measures that he has outlined today do not reduce delayed discharge, do not tackle A and E waiting times and do not stop staff leaving?

Humza Yousaf: Jackie Baillie does a disservice to the health service if she does not recognise some of the recovery that has been made by our incredibly hard-working NHS staff. For example, I have mentioned that statistics came out today that show that planned operations increased from July to August by 19 per cent to the highest level since the pandemic.

Of course, things are challenging. I do not think that anybody can deny that—I am certainly not denying that. I am saying, as I have said many times in the chamber, that performance on urgent care is not where we need it to be. The member is absolutely right that the position on delayed discharge is nowhere near where we want it to be. That is not through a lack of effort. I am happy to provide detail to Jackie Baillie on the conversations that we have had with health and social care partnerships up and down the country around how we resolve some of that.

However, we know that a number of factors, including external factors that are not within this Government's control, have made staffing in care homes and for care at home more difficult. Brexit is one example of that; the very difficult recruitment market is another example. However, we are working day and night to try to resolve some of those issues.

I will now pick up some of Jackie Baillie's direct questions. On nurses being balloted for strike action, that gives me great concern. I have been speaking to the RCN, Unison and other trade unions regularly. We are looking to get back round the table with them this month to recommence those discussions and negotiations, and to give them an improved pay offer, because they had a very strong mandate from their members to reject the previous pay offer that we put to them.

On staff recruitment, I would have hoped that Jackie Baillie would have listened to what I said in my statement; I also hope that she will read what is in the plan. Staff recruitment is a clear central plank of our plan. I am not sure why she is shaking her head—the plan says that we will recruit 750

overseas nurses, midwives and allied health professionals. If she wants a breakdown of how many of those will be nurses, midwives and AHPs, I would be happy to give that detail offline. On top of that, there will be an extra 250 band 4 posts as well. Will there still be vacancies? Of course there will, and we will do our best to reduce those.

The member should be left in no doubt at all that staffing levels are historically high under this Government—in fact, they are 6 per cent up since the onset of the pandemic. That includes our gaining an additional 550 qualified nurses and midwives since we published the recovery plan. *[Humza Yousaf has corrected this contribution. See end of report.]*

I have referenced delayed discharge already. It is crucial that we continue to invest in the hospital at home service, because the out-patient parenteral antimicrobial therapy—OPAT—pathway has managed to save 45,000 bed days in the past year alone.

The Deputy Presiding Officer: We are almost halfway through our time and we have just finished questions from the front-bench spokespeople. I will protect back benchers' opportunity to ask questions, so I will prolong the session ever so slightly, but that is not an invitation to extend questions and responses.

Gillian Martin (Aberdeenshire East) (SNP): Duly noted, Presiding Officer.

Patient flow through hospitals is always important, but it will be particularly so through the winter months. What steps are being taken to ensure effective system flow, particularly in health boards that cover large rural areas?

Humza Yousaf: In short, there have been really good discussions, particularly with some of our health boards that cover rural areas, about what we can do to bolster the hospital at home service. Although flow is absolutely a problem, the more people we can treat closer to home, the better—it is better for patients who often have to travel long distances to get to acute sites to be treated at home or as close to home as possible. Our hospital at home teams, particularly those in rural health boards, are working hard to ensure that a good service is being provided. I saw a good example of the hospital at home service in the Western Isles, as that very remote island community was able to deliver the service very effectively.

We will also continue to invest in staff in rural health boards. We expect a proportion of the staffing that I referenced in my answer to Jackie Baillie to go to rural health boards, and we want to incentivise particular staff cohorts to work in those health boards. That will help to keep people out of hospital.

On helping with flow through hospital, I assure Gillian Martin that the work that we are doing in relation to delayed discharge has a focus on health boards that cover rural, remote and island communities.

Finlay Carson (Galloway and West Dumfries) (Con): Across the country, lack of access to cottage hospitals is undermining the recovery, including in my Galloway and West Dumfries constituency. Cottage hospitals are vital in tackling the endemic problem of delayed discharge, which has a knock-on impact throughout the whole healthcare system, particularly in A and E departments.

In my area, three hospitals have, in effect, been mothballed since early 2020.

The Deputy Presiding Officer: Question, please.

Finlay Carson: Kirkcudbright, Newton Stewart and Castle Douglas hospitals have a capacity of more than 36 beds. What action will the cabinet secretary take to reopen those hospitals or to provide new fit-for-purpose facilities to provide the services, including palliative and step-down care, that cottage hospitals effectively delivered in the past, in order to reduce pressure?

Humza Yousaf: Finlay Carson asks an important question. I hope that he appreciates—I think that he does—that really difficult decisions were made during the pandemic, as we needed staff in acute sites that were exceptionally busy.

He, other members and local health boards are right to push me on whether cottage hospitals could be reopened to tackle, for example, delayed discharge by transferring patients from acute settings to facilities that provide step-down care. Our challenge in that regard is staffing, but I will look at the issue. In the context of Dumfries and Galloway, I will look at the three cottage hospitals that Finlay Carson mentioned. I promise him that the possibility of reopening cottage hospitals is being explored in our plans.

David Torrance (Kirkcaldy) (SNP): Individuals who are unable to heat their homes and unable to have food at regular times will be susceptible to greater illness, which will place greater strain on health and social care services over winter. What additional impact will the increase in the cost of living have on demand for NHS and social care services over winter?

Humza Yousaf: I can be brief because my views on that are well known. The cost crisis is, in my view, a public health crisis. As part of our winter planning, we are planning for the eventuality of the cost crisis worsening and for the impact that that will have on public health.

I appeal to the chancellor not to take his hatchet to our public services—as he is threatening to do in order to mitigate the impacts of his economic mismanagement—because that would have a devastating impact on already very stretched budgets.

I assure David Torrance that the cost crisis and its impacts are very much factored into our winter planning.

Paul O’Kane (West Scotland) (Lab): Last week, it was reported that several patients have suffered cardiac arrests in the past month while waiting to be seen in the A and E department at the Queen Elizabeth university hospital. Tragically, two of those cardiac arrests were fatal and followed significant delays in triage.

That followed reports last week that winter surge beds are already almost at capacity, with John-Paul Loughrey, the vice-chair of RCEM Scotland, stating that the NHS urgently needs extra resources to cope.

It is only October and our NHS is on life support. What is the cabinet secretary going to do? When will he bring forward a detailed plan that provides A and E departments with sufficient staffing, capacity and resources to deal with already overstretching demand in relation to not only delayed discharge but triage?

Humza Yousaf: I invite Paul O’Kane to look at the plans that have been published: the recovery plan update and the winter resilience plan. Of course, staffing is a key plank of those, and I hope that that will help.

In relation to triaging and the cases that the member references, I will not comment on individual cases, other than to express my deepest sympathy to people and their families who have been affected by long waits. The member will not get an argument from me about the fact that there are really detrimental impacts on people who have to wait for elective surgery or for urgent treatment.

I guarantee that my focus, and the Government’s focus, is on doing everything possible to bolster our NHS through this difficult winter. In A and E, the key to that will have to be trying to create capacity, which is why we will do everything in our power to reduce delayed discharges. At the front door, we will do our best to reduce demand, which is why we have the investment that I detailed in the hospital at home service and in social care and so on, which will be important to that end.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): Throughout the pandemic, our NHS and social care staff have shown extraordinary commitment and have worked under immense pressure to support people. Now, those

same staff face increased living costs and energy prices. What steps are being taken to support employees in the NHS and social care during the winter months?

Humza Yousaf: That is a really important point. The member will know that our NHS agenda for change staff are the best paid anywhere in the United Kingdom, and we want to maintain that position. As the member knows, we are in the midst of pay negotiations, but I have every intention of maintaining our position of having the best-paid NHS staff, because, ultimately, that will make a difference in dealing with the cost crisis, which is affecting them.

Wellbeing initiatives will also be important. We have done a significant amount on wellbeing. The measures go from what would be described as relatively minor but well appreciated interventions, such as providing hot food and drinks on busy wards, right through to interventions that are seen as more significant, such as making available psychological therapies and counselling for staff. We will continue that work as well.

Ultimately, of course, the significant economic levers on the cost crisis lie with the UK Government. If the members of that Government can stop fighting with one another, get round the table and, I hope, introduce a package that deals with the cost crisis, that would benefit NHS and social care workers up and down the country.

Alex Cole-Hamilton (Edinburgh Western) (LD): It is astonishing to me that it was a full 10 minutes before the cabinet secretary acknowledged that there is any kind of problem in the NHS. Much of the problem relates to staffing—that has been staring his Government in the face for years. Last week, a whistleblower told me that the Edinburgh royal infirmary operates routinely with 80 fewer nurses than it needs on every single shift. Just moments ago, the British Medical Association released research showing that half of junior doctors are thinking of leaving the profession altogether—they are demoralised, undervalued and exhausted. Will the cabinet secretary take this opportunity to offer health and care workers, whom he rightly thanks, a profound apology for the Government's failures?

Humza Yousaf: In my conversations with health and social care workers, I give them a commitment and promise that the Government is singularly focused on trying to improve their wellbeing so that they can care for the people whom we represent. That is what I will do, and it is what I am focused on, which is why we have historically high levels of staffing and the best-paid staff anywhere in the UK.

If Alex Cole-Hamilton actually has any solutions, he should please come forward with them. All that

he said was a diatribe against the Government, which will not help NHS staff on the ground.

Gillian Mackay (Central Scotland) (Green): I note from the cabinet secretary's statement that students are being employed part-time to add capacity. Although I recognise that that is vital experience, what structures are being put in place to support such students and to ensure that they are not overworked or put under undue pressure that may affect their studies?

Humza Yousaf: That is a very good question. There are, of course, limits on how much students can work, so that it does not impact on their studies. During the really difficult periods in the early days of the pandemic—of course, those difficult periods continue to this day—there was the ability to utilise students, particularly during December and January, when there was a natural lull and break from intense study. We are exploring whether we could do something similar again. I thank in advance the students to whom we are able to offer placements, because they will be of great help and they always show great enthusiasm in helping out on the front line. There are safeguards in place to protect them, so that their studies are not unduly affected.

The Deputy Presiding Officer: We have three more members who need to ask a question, so the questions will have to be brief and the answers briefer.

Natalie Don (Renfrewshire North and West) (SNP): Vaccination remains our best line of defence, and I am aware that Covid boosters are now being offered to priority groups and that everyone who is eligible can safely receive that vaccination and the flu vaccination at the same appointment. Can the minister provide an update on the roll-out of the winter vaccination programme and an assurance that there are adequate vaccines to meet demand?

Humza Yousaf: I can be brief in saying that the roll-out is well under way. It is going exceptionally well and we are tracking above our modelled expectation for this time of the programme. The roll-out is going fantastically well, the uptake is exceptionally high and the co-administration rate for flu and Covid-19 is well above 90 per cent. As much as we are focused on Covid, clinicians tell me that they expect a resurgence of flu this winter in the same way that has been seen in the southern hemisphere. Statistics and the latest data around how many vaccinations we have administered will be published later this week, which I think will be the same for other UK nations.

Alexander Burnett (Aberdeenshire West) (Con): The cabinet secretary's centralising projects such as vaccination centres are causing more problems than they are solving by taking

staff from community hospitals to centres more than 40 miles from the patients they were previously helping. With Inch and Aboyne community hospitals now closed, when will the cabinet secretary admit that his winter resilience and Covid recovery plan not only fails to mention rural Scotland but fails to offer it any flexibility at all?

Humza Yousaf: It is astonishing that the member has criticised the Covid vaccination programme. Scotland has led the way in first, second and third doses of the vaccination. Not only that, but at one point during a previous winter vaccination programme it was one of the fastest and most successful vaccination programmes in the entire world, yet he is not able to congratulate the fantastic staff on the efforts that they have made.

There are local flexibilities. Local communities can, for example, request GPs to be involved in their programme. That decision is then discussed and made in conjunction with officials in the Scottish Government. If Alexander Burnett has particular concerns, he is more than welcome to approach me and I am more than happy to try to be as flexible as possible. However, so far, from the data that I have seen—which, as I said to Natalie Don, will be published shortly—the winter vaccination programme is going extremely well.

Evelyn Tweed (Stirling) (SNP): Covid-19 remains a threat to public health this winter. Can the cabinet secretary reiterate what action is being taken to mitigate the risk of increased levels of Covid infection over the winter months?

The Deputy Presiding Officer: As briefly as possible, cabinet secretary.

Humza Yousaf: I can be brief by saying that the number 1 action that we can take, collectively as a society as well as in Government, is to make sure that people are being vaccinated. As I say, the vaccination programme is well under way. We will continue to work with Public Health Scotland to reiterate public health guidance, as well. I remind people that the pandemic is not over—the virus has not gone away—so, if you are able to have cognisance of, be aware of and implement that strong public health guidance, you can help yourself and the people around you.

The Deputy Presiding Officer: That concludes the statement.

Point of Order

18:13

Jackie Baillie (Dumbarton) (Lab): On a point of order, Presiding Officer. I am sure that members across the chamber will share my concern at the resignation of Lady Poole from the Scottish Covid inquiry. I welcome the information that was provided by the Deputy First Minister on a cross-party basis. What he failed to mention is that there appear to have been other resignations of senior counsel from the inquiry. Can the Presiding Officer consider, with the Parliamentary Bureau, the need for an urgent statement this week?

The Deputy Presiding Officer (Liam McArthur): I thank Jackie Baillie for advance notice of her point of order. The matter that she raises is clearly of some significance, but it will be perhaps a matter for her business manager to raise with counterparts through the bureau.

There will be a brief pause before we move to the next item of business.

Committee Announcement (Finance and Public Administration Committee)

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is an announcement by the Finance and Public Administration Committee on its "Report on the National Performance Framework: Ambitions into Action". I call Daniel Johnson, deputy convener of the committee, to make the announcement.

18:15

Daniel Johnson (Edinburgh Southern) (Lab): Yesterday, the Finance and Public Administration Committee published its report on how the national performance framework is working in practice. The NPF is the national framework to which all public services in Scotland should be aligned, reflecting broad national strategic goals. The national outcomes cut across all policy areas and are relevant to the remits of almost all parliamentary committees. Indeed, the revised national outcomes will be scrutinised by all committees as part of the Scottish Government-required consultation process over the coming year. We intend our report to serve as context to that process.

During our inquiry, we learned that, although the NPF remains important in articulating vision, there needs to be more sustained progress on its use in implementing policy, measuring policy outcomes and informing Government activity. In particular, the NPF must be seen to be used to inform financial decision making and as a measure for financial accountability to a much greater degree.

The committee is convinced that visibility of the NPF must be increased, and we urge all parliamentary committees to engage with it and consider how they can use it to scrutinise and understand Government spending, decisions and policy.

I commend the report to the Parliament, and the committee looks forward to working with members and other committees as we scrutinise the forthcoming revised national outcomes.

Decision Time

18:16

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is decision time. There are no items that fall to be considered; therefore, that concludes decision time.

Challenge Poverty Week 2022

The Deputy Presiding Officer (Annabelle Ewing): The final item of business is a members' business debate on motion S6M-05778, in the name of Elena Whitham, on challenge poverty week 2022. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises Challenge Poverty Week 2022, which runs from 3 to 9 October; notes that activities, events and actions are taking place across Scotland aimed at highlighting the realities of, and solutions to, poverty, as well as increasing public support for tackling poverty; understands that over one million people in Scotland are living in poverty and that the cost of living crisis is pushing even more into hardship; notes the view that governments, politicians, civil society and communities all have a role to play in solving poverty; understands that particular groups of people, including low-paid women, lone parents, disabled people and people from black and minority ethnic backgrounds, are disproportionately more likely to experience poverty; notes the view that poverty in Scotland can and must be solved, by boosting incomes and reducing the cost of living; considers that people in Scotland believe in compassion and justice, and support action to end poverty, and celebrates the work undertaken by organisations and communities across Scotland to stem the rising tide of poverty.

18:17

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Thank you, Presiding Officer. Thank you, too, for pronouncing my name correctly—every time that is done in the chamber, I get very excited.

I thank all the members, across most parties, who signed my motion, to allow us to debate the important yearly event that is challenge poverty week. I express my sincere thanks to the Poverty Alliance—a couple of its staff members are in the gallery—and all organisations, across all sectors, that work so hard to challenge the insidious, pernicious, anxiety provoking and hugely damaging social and economic construct that is poverty.

Since 2013, #ChallengePovertyWeek has acted as a platform for sharing ideas about how we as a country—across all spheres of government, all sectors and civic society—can turn our shared values of justice and compassion into concrete action to release people from the grip of poverty.

Since its inception, challenge poverty week has grown year on year. In 2021, more than 350 organisations took part and there were more than 900 separate activities. This year, there is a clear focus on the current cost of living crisis and the threat that it poses to people who live on low incomes. It is hoped that this week will bring attention to the support that exists for solving

poverty, including support for policies that aim to ensure that no one in Scotland has to live in the grip of poverty.

I have worked in the third sector directly with people who were experiencing the worst of multiple disadvantage and I have seen the most extreme poverty up close, in all its horrific technicolour. I helped women and children who fled domestic abuse taking only what they stood up in. I supported people who were in the grip of trauma-induced addiction as they tried to navigate a hostile benefits system that was all too often ready to fling a punitive sanction at their feet, and a criminal justice system that all too often neglected to look at the underlying trauma that precipitated offending behaviour or at how incarceration causes and exacerbates homelessness and family breakdown, further entrenching poverty in communities. The situation was always made worse by systems that do not speak to each other and leave folk trying to join up the pieces themselves at a time when their resilience is at its lowest.

When I was a child in Canada, my family relied on food banks and voluntary agencies for a time, after my dad was paid off and we had no support network around us to help to pick up the pieces that sudden poverty brings. My relationship with food is, to this day, coloured by that experience. What a difference something like the Scottish child payment would have made to little eight-year-old me and my wee brother. Perhaps my mum would not have had to forgo food herself to eke out the sustenance that was available for her kids.

As an adult here, in Scotland, I have been in receipt of social security at several points and have found myself—to quote part of the title of our Social Justice and Social Security Committee's recent inquiry report—

“Robbing Peter to pay Paul”.

I have even hidden behind the sofa lest the door-to-door loan operative from Provident see that I was at home with nowt but coppers in my purse and no way to cover the week's instalment. When my son was small, I used charity shops and clothing banks to ensure that he was kitted out and that my money stretched.

I know from my lived and work experience that the people who are in entrenched poverty at this time—and the people who have just been tipped into poverty—will be facing sleepless nights and suffering an exponential decline in their mental and physical wellbeing.

Challenge poverty week's theme this year is #TurnTheTide, and it involves a range of asks. The first is that we

“Redesign our economy to make jobs work for people through being flexible, secure, environmentally minded and

paying at least the real Living Wage; affording everyone enough to live a dignified life.”

The second ask is that we

“Ensure our social security system provides a strong and adequate lifeline for all of us, when we need it.”

We need to uprate benefits in line with inflation. We need to scrap the cap, including the hated rape clause. We need to scrap the five-week wait and the dreaded sanctions regime.

The third ask is that we

“Accelerate actions to tackle both the climate crisis and poverty.”

The recent cap on energy prices will not be felt equally by all. I watched a wee video today about Carolyn Hunter, a carer who provides unpaid intensive care to her daughter Freya. The family has lived with fuel poverty for years, because Freya’s needs are such that the family has to use a lot of energy. Despite the additional measures from Social Security Scotland, the family is experiencing unrelenting and crushing fuel poverty. More must be done to protect people who are in such a situation.

The fourth ask is for

“Communities most affected by poverty in Scotland to have more power and resources to bring about change.”

Real and lasting change is needed. It is vital that we mainstream participatory budgeting, provide communities with the support that they need to realise their goals and roll out the principles of community wealth building.

The links between poverty and poor health are profound and significant. The fifth ask is that we

“Ensure all of us have access to good quality, timely health and care services that meet our physical and mental needs.”

We should strive to embed community link workers and mental health workers in health centres across the whole of Scotland.

The sixth ask is that we

“Redesign our public services so that they are affordable, accessible and work for everyone.”

Services such as transport, childcare and digital inclusion are vital to successful participation in society and crucial in supporting us all to live decent lives. The ask extends to ensuring that our housing system is such that homes are affordable and warm for all, that homelessness is eradicated and that rents are at a level that does not entrench poverty.

We must also recognise and act purposefully to address the gendered nature of poverty and structural inequality.

Free school meal provision should be increased and rolled out at pace. School meal debt should be written off, as is happening in more and more council areas across the country. Weans need to eat.

Last week’s announcements rocked the very foundations of our economy. We must work together to ensure that the people who have the least do not bear the brunt of decisions that are made by those with the most. Let us all challenge poverty and work to turn the tide.

18:24

David Torrance (Kirkcaldy) (SNP): I thank my colleague Elena Whitham for securing this important debate.

It is not surprising that the clear focus of this year’s challenge poverty week is the current cost of living crisis and the threat that it poses to people on low incomes. The campaign shines a light on the support that exists for solving poverty, through policies that ensure that no one in Scotland has to live in the grip of poverty.

Poverty is widely considered to be not having enough money to meet basic needs, including food, clothing and shelter, with a household being considered to be in poverty if its income is less than 60 per cent of the average income for that household type. However, it is about more than not having enough money; it is about a lack of choices and a lack of options. It is about the uncertainty, the insecurity, the exclusion from society and living one day at a time. It is about being so completely consumed by hardship that it affects every single decision that a person makes. It is about the lack of resilience and fearing for the future.

In modern-day Scotland, no one should have to experience poverty, but the stark reality is that it impacts the daily lives of more than 1 million people in Scotland and one in five people across the United Kingdom, with many families being only one wage, one disaster or one missed bill away from crisis. We all know that there is no one cause and no one solution—the results are different in every case. That is why this week of awareness and the opportunity that it presents to champion the work that is being undertaken by organisations and communities across Scotland to alleviate hardship continue to be so important.

In addition to the many national groups, local organisations and volunteers do amazing work to mitigate the worst effects of hardship. We are fortunate to have a Government that cares about community and families and is committed to tackling the root causes of poverty and child poverty. With a particular focus on three main drivers of poverty reduction—work and earnings,

social security and household costs—Scotland has seen record investment of almost £8.5 billion committed to support low-income households between 2018 and 2022, with almost £3.3 billion benefiting children.

Measures such as the introduction of the Scottish child payment, an increase in the number of real living wage-accredited employers, more funded hours for early learning and childcare, the delivery of 35,000 affordable homes and the expansion of universal free school meals have all helped to support families both immediately and in the long term. In total, the Scottish Government's package of five family benefits for low-income families will be worth more than £10,000 by the time the family's first child turns six, and worth £9,700 for second and subsequent children. That compares with less than £1,800 for an eligible family's first child in England and less than £1,300 for second and subsequent children.

In its 2022 UK report, it was recognised by the Joseph Rowntree Foundation that the benefits system in Scotland is increasingly different from that in the rest of the UK, with mitigation of some of the most poverty-increasing UK Government welfare reforms of the past decade. The two child limit on income-related benefits, the benefit cap and the five-week wait for the first universal credit payment are just some of the elements that have caused untold damage to families. Figures show that, if the UK Government was to reverse its reforms, that would put an estimated £780 million in the pockets of Scottish households in 2023-24 and help to lift 70,000 people, including 30,000 children, out of poverty.

Those figures are astounding but, for me, it is real-life experience that makes the reality hit home. Before I conclude, I will highlight a conversation with a constituent that took place last month. An elderly woman visited my constituency office to discuss her anxiety about the current cost of living crisis. While we were discussing the impossible task of balancing her pension against exorbitant energy prices and rocketing food costs, she told me that when she is at home, she would normally have the television on in the background for most of the day as she lives alone and it is company for her. However, now, she looks ahead and plans which programmes she really wants to watch, and she will only turn on the television then, for fear of being unable to afford her electricity bill. That elderly woman is sitting at home every day with no heating, no light and no company. How many more of our older people are sitting in a cold and dark home, feeling lonely as they desperately try to avoid being dragged into poverty, all because of the actions and policies of a callous and uncaring UK Government?

That is not acceptable. We all have a duty to work together to ensure that no one is left behind, but that is not happening. The UK Government must act now to address the crisis that is crippling the entire country before even more people find themselves in financial distress.

18:29

Jeremy Balfour (Lothian) (Con): I congratulate Elena Whitham on securing time for this debate. I know that she is deeply passionate about the subject, and she keeps us focused on the committee that she convenes.

It is essential that we have an on-going conversation that involves everyone about how we alleviate and eradicate poverty.

I thank the organisations that put in written submissions before the debate. I highlight, in particular, "A Fairer Share: How Rethinking Income Tax Can Free Families From Poverty", which CARE for Scotland sent to me.

I pay tribute to the amazing work that the third sector does. Having worked in that area for part of my life, I know that those organisations are on the front line in doing important work to lift people out of poverty. For example, Christians Against Poverty works tirelessly to help people to organise their finances and get their debt under control. Government and we in the Parliament must never forget that one of Government's primary responsibilities is to support those heroes in their work.

I was slightly concerned that, during one of our committee evidence sessions a couple of weeks ago, the Scottish Council for Voluntary Organisations reported that there had been no conversation between it and the Scottish Government about the agreement that there should be a three-year funding proposal. I urge the cabinet secretary to commit herself and the finance team in the Scottish Government to arranging meetings on that, so that we can see progress.

I am still concerned that, within local authorities in particular, there is a silo attitude to dealing with the issues. Education does not speak to transport, and transport does not speak to health and social care. We need to work to make sure that that no longer happens.

In the time that I have left, I will talk about the impact of poverty on the disabled community. I appreciate that the motion that we are debating references the fact that the disabled community is "disproportionately more likely to experience poverty".

Siobhian Brown (Ayr) (SNP): Will the member take an intervention?

Jeremy Balfour: I will just finish the point.

Disabled people are among the most vulnerable in our society. They experience poverty to a higher degree than other people in our society, and they are affected by the economic crisis that is gripping our world more than other people in our society. Both Governments—the Westminster Government and the Scottish Government—need to seek to provide aid for those in need. There should be special consideration of those who are disabled.

I hope that the Westminster Government will commit to raising all benefits by the rate of inflation when it brings forward its proposals. However, the Scottish Government has a responsibility as well.

Siobhian Brown: A press release from Inclusion Scotland this morning said that a lot of disabled Scots are worried about dying this winter because of the cost of living crisis. In fact, 75 per cent are not eating or not heating their homes at the moment. Does Jeremy Balfour acknowledge that his party's policies—Brexit and the recent chaos down at Westminster—are to blame for what is a broken UK?

Jeremy Balfour: I do not recognise that. If Siobhian Brown looks at what is happening across the whole of western Europe, she will see that those inflationary costs are going through in every country. I do not accept the premise that she has set out.

I have said that, because of what is happening, the UK Government needs to commit to raising benefits above the rate of inflation. We should all welcome the fuel interventions that the Government has made over the past two weeks. All of that will make a difference.

However, things can be done here, as well. Last year, there was an announcement that all primary 7 pupils would get free school meals. That was delayed, and that is causing problems for people in my area and across Scotland.

There are a number of ways in which the Government's response needs to step up. Covid has left disabled people behind. Many people will be concerned by the response to the cost of living crisis. The Deputy First Minister's announcement that £55 million would be cut from the budget for disabled employment is deeply regrettable.

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison) *rose—*

Jeremy Balfour: I will finish the point. I know that the cabinet secretary often says that we, as politicians, have to make decisions. Her Government has gone for one of the most vulnerable groups in our society. At a time when vulnerable people are struggling, we should not be cutting budgets; we should be ensuring that they

have as easy access as possible to work opportunities rather than taking them further away.

The Deputy Presiding Officer: I ask the cabinet secretary to be brief, as Mr Balfour is well over his time.

Shona Robison: Does Jeremy Balfour share my deep concern about the prospect of £18-billion worth of public expenditure cuts to fund the tax cuts? That is the level of cuts that his Government suggests may happen, and that will have a direct impact on Scottish budgets.

Jeremy Balfour: As the cabinet secretary knows, we do not know what will happen—that will be announced by the chancellor in the near future—but we know that her Government has cut £55 million. That is in black and white—it is clear. Let us see what the UK Government will do over the next few months.

The Deputy Presiding Officer: Mr Balfour, you are a wee bit over your time. Could you bring your remarks to a close, please?

Jeremy Balfour: Poverty hits all groups but, as with many things, it is felt disproportionately by those in the disabled community. I implore the Government not to make disabled people once again pay a disproportionate price simply because they are disabled.

18:35

Pam Duncan-Glancy (Glasgow) (Lab): I, too, thank Elena Whitham for bringing this debate to the Parliament. I hope that I pronounced her name correctly. If I did not, she can correct me during our committee meeting on Thursday, and I will not get it wrong the next time.

Poverty is a moral failure and a human rights catastrophe. It is bad for our health and it is bad for the economy. I pay tribute to the Poverty Alliance for fighting poverty every day and for pulling together another challenge poverty week that demonstrates the problems and also highlights the solutions. That organisation is often at the forefront of the fight against poverty in Scotland. It works hard to bring lived experience to the heart of its work and, in doing so, it makes recommendations that are based on what people who are living in poverty say that they need. So far, we have seen a failure from both Governments to properly act on that expert advice and to value lived experiences.

As the costs of fruit, vegetables and all other weekly groceries continue to skyrocket, more families struggle to afford the resources that they need to eat a balanced and healthy diet. They are scared to put the heating on because that might mean that they cannot afford to put food on the table. That risks ill health and lack of nutrition.

People are hungry and freezing, and things will only get worse over the winter. Families in the Wyndford estate have been told to hug their duggs to stay warm. Meanwhile, the Tories are taking a wrecking ball to the economy.

The cost of living crisis that we are experiencing now will have longer-term impacts. It is proven that those who come from poorer backgrounds are more likely to have a shorter life expectancy and to suffer from more health problems than those from wealthier backgrounds. They are also more likely to have to turn to the national health service, and that comes at a price. Quite simply, failing to tackle poverty is bad economics.

There is a longer-term impact on social security spending, as well. The deeper people fall, the harder it is and the longer it takes to pull them back above water. The welfare system must be a safety net, but it cannot be used as the only weapon that we have in the fight against poverty. It is one lever, and it has to be used alongside all the others that are available to us.

That is why I share colleagues' concerns about employability cuts in Scotland. If the system has to pay out to hard-working people, it is not working properly. The reality is that poor conditions, precarious work and low wages mean that that is exactly what it has to do. The social security system cannot be expected to keep filling a gap that is created by an absence of progressive policy choices. The economically viable thing to do would be to begin to reduce poverty and, in doing so, to divert spending from battling the longer-term consequences of inequality. To do so, we must tackle the causes of poverty at their root. The themes of this week's campaign to turn the tide on poverty illustrate some of those causes clearly.

Beyond only steering us through the current rocky economic climate and tackling rising energy bills that are leaving more and more people battling fuel poverty, there needs to be strong action on healthcare, housing, transport and employability. People must be supported to enjoy their right to good work, including by taking real, tangible actions to close the disability employment gap and ensure that everyone who can work has the opportunity to do so and, in turn, to grow the economy for the future. Ending all non-residential care charges, reforming the carers allowance and paying care workers £15 an hour would ensure that those who require care are able to receive it and that those who provide it are valued and encouraged to stay in the profession.

When the going gets tough on the economy and in other areas, support for disabled people, women, poor people, black and minority ethnic people and the third sector usually goes overboard. We know that people in those groups lose their jobs because they are more likely to be

in precarious work in the first place. Those groups will be disproportionately impacted if both Governments do not move quickly.

Money advisers are going to bed with the same money worries that they spend their days advising their clients about. Third sector support, which many are forced to rely on, is being cut and, in some cases, it has been pulled almost overnight. Those services provide a lifeline, but they, too, are dealing with rising bills as well as increasing demand. That is unsustainable.

A Labour-led Government would increase funding for money advice services and commit to long-term, multiyear funding models for third sector organisations, to give them the certainty that would allow them to focus their resources on service delivery. I echo Jeremy Balfour's request to the cabinet secretary to set out whether she will meet the SCVO to discuss that in detail.

The situation could not be more urgent, so all layers of government must act. Labour is ready to step up and do so at the UK level and in Scotland. For a start, we would overhaul and replace universal credit and ensure a truly fair and dignified system. In Scotland, we would use all the social security powers that we have to ensure that everyone has a guaranteed minimum income that they will not fall below. That will mean reassessing the rates of disability and carers benefits and making sure that the system is automated where possible. We would cancel school meal debt, as the Labour-led partnership in South Lanarkshire Council has already done. We would top up the welfare fund to make sure that anyone who falls through the cracks of targeted support can be identified by local authorities in order to access critical funding. We would halve the cost of rail fares and cap bus fares.

I stress that delivering those policies cannot wait. We must not stop or waste any time. I urge both Governments to listen to all organisations—and even to those of us in Opposition—and to work relentlessly to wring dry every lever that we have and turn the tide on poverty.

18:41

Marie McNair (Clydebank and Milngavie) (SNP): I thank my colleague Elena Whitham for securing the debate. It is much needed and I congratulate the Poverty Alliance and all anti-poverty campaigners across the country for promoting the event. I also take the opportunity to thank the many support groups, food banks and advice agencies in my constituency. I praise them all, including the Dalmeir community food pantry, the Recycle Room, Old Kilpatrick Food Parcels, Faifley food share, East Dunbartonshire Foodbank, West Dunbartonshire Community

Foodshare, Clydebank Asbestos Group, the Big Disability Group, the East and West Dunbartonshire citizens advice bureaux and both councils' advice staff. As a constituency MSP, I see what those organisations do to provide much-needed help and support and I am firmly on their side.

The debate is timely, given the scale of the challenge that faces many of our constituents. Just yesterday, the Joseph Rowntree Foundation in Scotland published its report "Poverty in Scotland 2022". The report states that

"Nearly one in five households on low incomes in Scotland have gone hungry and cold this year, even before we enter the winter months".

The report says this about the UK Government:

"their wilful abandonment of low-income households in last month's budget is outrageous. Meaning without further intervention by them the situation described in this report will be worsened from an already terrible position by the oncoming winter."

The Joseph Rowntree Foundation correctly asserts:

"This cost of living crisis is not just caused by increasing costs. The incomes of low-income households have been intentionally reduced by a decade of reductions in social security support".

Surely it is obvious to all that that needs to change. But also, yesterday, we instead got a speech from the chancellor that shows he has no shame. His speech made little reference to the screeching U-turn, and there was no hint of apology.

Jeremy Balfour: At the same time as condemning the UK Government, would the member also condemn her Government for cutting £55 million for disabled people at a time when they are at their most vulnerable?

Marie McNair: I take on board Mr Balfour's point, and we will consider everything. However, maybe the member should look at carers allowance, which his Government could have upgraded but did not. We will take no lessons from the Tory party.

The cost of living crisis is caused not just by increasing costs but by decades of intentional reductions in social security support. Surely it is obvious to all that that needs to change.

The UK Government explained its U-turn by saying that the policy was a distraction, but it was not a distraction—it was a disgrace. That budget plan chooses to reinstate bankers' bonuses but not the £20 uplift to universal credit, and it continues the austerity and welfare cuts that are leaving so many behind. There is no commitment to increase the benefits by inflation; I hope that what the member said earlier will happen, but we

will see. There is no commitment to scrap the five-week waiting time for universal credit, to abolish the two-child policy—with its abhorrent, disgusting rape clause—or to U-turn on plans to increase benefit sanctions instead of filling bankers' pockets. It is a missed opportunity to provide the help that people need to get through this crisis, and that will not be forgotten.

In Scotland, our focus is different. Although 85 per cent of the social security budget remains under Westminster control, we are working to maximise our interventions. We are building a system led by dignity, fairness and respect—no unjust sanction regime and no pointless private sector assessments.

The Scottish child payment is being increased to £25 per week, and eligibility is being extended to under-16s. Taken together, the Scottish Government's five family payments are worth more than £10,000 by the time the first child reaches six and about £9,700 for subsequent children. There is no restrictive two-child policy here.

We continue to mitigate the effects of the bedroom tax and, now, the benefit cap, when we could be investing those resources elsewhere in our social security budget. We have introduced the Scottish carers allowance supplement, righting a wrong that was continued by Tory, Labour and Liberal Democrat Governments at Westminster. And we move at pace to roll out all disability benefits and further support to carers.

Those interventions, along with the rent freeze, the evictions moratorium and other support such as the Scottish welfare fund, are essential from a Government that gets the priorities right, and we should continue to look at what else can be done with our budgets and powers. But it is absolutely obvious that this Parliament needs the full powers of independence to cut out the cause of this crisis at its core—an arrogant Westminster Government with no compassion and no understanding of its impact on our constituents.

18:46

Carol Mochan (South Scotland) (Lab): I thank Elena Whitham for bringing the debate to the chamber. This year's challenge poverty week has a clear focus on the current devastating cost of living crisis and the threat that it poses to people living on low and—because of the brutal nature of the crisis—average incomes. It is hoped that this week will bring attention to our strategy and resources for eradicating poverty, including support for policies that are aimed at ensuring that no one in Scotland lives in the grip of poverty.

I have made it clear before, and I make it clear once again, that I deplore the Tory Government's

attack on working-class people. The Tories are the friends of the rich and show no interest in redistributing wealth to those who are most in need. That is the opposite of what people are crying out for right now. Little interest is being given to working people as the Tories fight among themselves and act only in the interests of the rich. The impacts of their actions are felt across the UK, including here, in Scotland, so I ask Elena Whitham and her colleagues to work progressively with Scottish Labour to ensure that we rid the entire United Kingdom of the policies of the current UK Government.

Grass-roots campaigners, trade unionists and socialists are organising right across the UK, including here in Scotland, to fight those injustices. Scottish Labour colleagues and I are out day in, day out in solidarity with trade union striking workers, the Scottish Trades Union Congress and campaign groups, and we are now collectively saying that enough is enough.

I thank the Poverty Alliance for its briefing, which reminds us again of the need for immediate action from both our Governments in Scotland. Twenty-four per cent of children in Scotland live in poverty. I will say that again: 24 per cent of children in Scotland live in poverty. The figures for people with a disability and for those from ethnic minority communities are even worse. It is a disgrace.

There is need for urgency in our approach to fighting poverty here in Scotland, and it demands that we in the Scottish Parliament accept that there is an emergency and that, to save lives, we must do all that we can.

Monica Lennon (Central Scotland) (Lab): If I had been able to intervene on Marie McNair, I would have said that I am pleased that Scottish National Party activists have lodged a motion at their party's conference that says that we should do all that we can to end child hunger by introducing universal free school meals for secondary school pupils. Does Carol Mochan agree that the Government needs to get on and deliver that measure as soon as possible?

Carol Mochan: I thank my colleague Monica Lennon for that intervention. She has worked tirelessly to support interventions to address child hunger, including universal access to free school meals. The Government's intention is to provide such access, but we would like those policies to be introduced urgently.

The Poverty Alliance has set out key asks of the Scottish Government, and I ask the SNP back benchers who are here tonight to push those on the front bench to deliver those asks. I mention, in particular, the Scottish child payment, which the Poverty Alliance says should be increased to £40

per week. I applaud the Scottish Government for what it has done, but it needs to go further. Amid a cost of living crisis, and with a brutal Tory Government the likes of which we have never seen, it is pivotal that people who are most in need are supported financially to put food on the table, and that the Scottish Government's targets on child poverty are met.

Indeed, we know that the Scottish child payment contributes massively towards tackling child poverty, and that it alleviates pressure on families who receive it. I again commend the Scottish Government for the progress that it has made, but now is no time for complacency—we must speed up the roll-out of the payment and constantly look at ways to increase it. Many organisations believe that failure to deliver that will likely lead to the Scottish Government failing to meet its interim targets for child poverty, but I do not believe that the Government or SNP back benchers want that. There is no chance that the Scottish Government would do that willingly. Tackling child poverty is the best hope that we have of changing the trajectory of this country.

In conclusion, Presiding Officer, I thank the member again for bringing the debate to the chamber, and I reach out to her and her colleagues to join us with grass-roots campaigners on the streets of Scotland to make our voices heard in communities, and join us in this chamber in demanding that the Parliament and the Government do everything that they can to prioritise the eradication of poverty, so that lives are saved.

18:51

Natalie Don (Renfrewshire North and West) (SNP): We can all talk in the chamber about poverty, but the most important voices on the matter come from the people who are experiencing it right now, and, honestly, their testimonies are heartbreaking. One woman told the Joseph Rowntree Foundation:

“I am scared to wean my baby when I look at the cost of food, I know I should be introducing food but I am delaying that as long as possible.”

The Scottish Women's Budget Group quoted another woman:

“I feel forgotten about. I cut my own hair, I skip meals, I scrimp on heating etc so I can pay the mortgage. There is no support for us from anyone.”

Inclusion Scotland quoted a respondent to a survey:

“Not being able to afford heating. Part of my condition means I struggle to regulate my body temperature I can be prone to hypothermia. I also rely on hot showers and hot water bottles to manage pain and am worried about how to afford that. I could die.”

That is the reality of life in 21st century Britain.

We talk about poverty a lot in the chamber, and rightly so, but it strikes me that, during every debate, Tory members gaslight us by giving speeches about how they are the ones who want to solve child poverty and that the SNP needs to do more, which I find hard to believe when only one Tory member has chosen to take part in the debate.

Jeremy Balfour: I am interested in knowing whether the member would make the same criticism of her Green colleagues and partners. They have nobody taking part in the debate.

Natalie Don: If the member was listening to my speech, he would know that the main reasons for poverty fall at the feet of the United Kingdom Tory Government, which is why I decided to pick out the Conservatives.

Let us take a step back: the Scottish Government has done and continues to do what it can with the limited powers that it has. Members have already given a rundown of many of the steps that the Scottish Government is taking to eradicate poverty and work towards our poverty targets, but how can we possibly hope to eradicate poverty in this country when we are dependent on the Tories down south and their mad spending decisions? The Tories have been in power for 12 years now, but what has improved? They are destroying the economy with tax cuts for the rich and increased bankers' bonuses—it is not good enough.

This week, we have seen a U-turn on the top rate of tax, but the damage has already been done, and the markets are already in chaos. Over the past two weeks, Douglas Ross and the Tories have defended that policy, but they now want us to believe that they are reversing it because they care about people. No—they are doing it because they can see the chaos that they have created and could not find a way to defend the policy any more.

As important as this week is, we should not need challenge poverty weeks in Scotland or in the UK. Poverty should be challenged every day of the year, because no child in this country should be going to bed hungry or cold.

A few months back, I visited a toy bank in Renfrewshire. Energy prices were rising, but it was still early days. I was looking around at the toys that were sitting there ready to get packed up for birthdays or waiting on Christmas day and thinking of the joy that would spread across the kids' faces when they got them, but that thought was coupled with a wave of sadness that it would be under such circumstances. It should not be a case of prioritising gas over a child's toy this Christmas, but that is the hard reality for many families.

People must be sick of working to be in debt; for so many people right now, being in employment is not benefiting them. People are only just surviving and every day is a struggle to figure out what to prioritise.

I want to live in a country where everyone thrives and people get to enjoy life and be happy, as opposed to scraping by and waiting for the trickle down that never comes. I want to live in a country where children have opportunities, where young people are positive about the future, where parents can have a proper work-life balance and get to spend time enjoying life with their kids, and where people are not thinking at every turn about how they are going to get through the next day.

We can have a better future as an independent country. I have previously highlighted in Parliament how, as a Scottish Government, we can use all the levers at our disposal to eradicate poverty in this country. We do tremendous work here to help those who need it the most, but, while powers remain reserved to Westminster, I fear that we will never see poverty in Scotland come to an end.

Just to finish, we often use the phrase “heating or eating” as though it is a nifty wee rhyme, a soundbite or a punchline from the establishment, but it is not just a saying—it is the reality for many people. In 2022, people are having to choose between having a warm meal and having a warm house—that is disgusting. I fear that it is only going to get worse if the unionist parties continue to play at trickle-down economics, which does nothing to improve the lives of my constituents and harms those across Scotland who are living in poverty.

18:56

Stuart McMillan (Greenock and Inverclyde) (SNP): I congratulate Elena Whitham on securing the debate.

Challenging poverty is a decades-long fight that became more acute in the 1980s, after the election of the Margaret Thatcher Government, and has become so again in recent years. I agree with Jeremy Balfour on one point: he spoke about the third sector and the hugely important role that it plays—it does, indeed, play such a role.

Pam Duncan-Glancy: Will the member join me, Jeremy Balfour and Paul Bradley from the SCVO in asking the cabinet secretary to meet the SCVO to talk about the potential for multiyear funding and what that could look like, so that it can be delivered in Scotland?

Stuart McMillan: I have said in the Parliament before that I think that multiyear funding is the right way forward. However, when we have a chaotic

situation as a result of the budget that comes from Westminster to this Parliament, it is very difficult—it is nigh on impossible—for any Scottish Government to produce longer-term budgets.

Jeremy Balfour: Will the member give way?

Stuart McMillan: In just two wee seconds.

I believe that longer-term budgets would genuinely be better for Scotland. If we did not have to rely on Westminster to get the money and were an independent country, we would not have that problem.

Jeremy Balfour: I understand where the member is coming from, but does he recognise that, like lots of other people, he and I will be paid for the next three years, as will the civil service in Scotland and NHS staff? Why is the voluntary sector the exception to the rule?

Stuart McMillan: As I said a few moments ago, if we did not have to rely on that funding—*[Interruption.]* It is a fact, as Mr Balfour knows. If we had all the powers of independence, we would not have that situation.

I am a board member of a local organisation and I have heard from people within that organisation about the issues of poverty that they have faced.

The cost of living crisis and political decisions by Westminster are not helping the situation. The two-child limit, the five-week universal credit delay, the removal of the £20 uplift to universal credit and the bedroom tax are just four examples of such decisions. Austerity measures from Westminster are not something that anyone can be proud of. Whether we are talking about Tory cuts or the beginning of austerity cuts under the last Labour UK Government, it is clear that Westminster does not work for the working class or working-class communities.

Energy is one of the most important parts of the cost of living crisis. No one in energy-rich Scotland should be worried about putting on their heating in their house. Regulation of energy in Britain is broken and does not work for Scotland. Scotland pays to generate the energy that goes into the grid, but in the south of England, those who generate energy are paid to do that. That is patently unfair. In reality, Scotland has the energy but it does not have the power.

Pam Duncan-Glancy spoke about the Labour Party's political ambitions. We have heard those claims before. Nothing will change under a Labour UK Government if it is elected. The party is joined at the hip with the Tories, as will be proven in many local authorities in Scotland.

Pam Duncan-Glancy: Will the member take an intervention?

Stuart McMillan: I am sorry, but I have already given way.

David Torrance spoke about a constituent. Yesterday, I held a heating surgery jointly with my local MP, Ronnie Cowan. I thank Home Energy Scotland and the Oak Mall shopping centre in Greenock for their assistance with the surgery. A number of constituents were there, and one constituent who came to speak to me told me that she spends most of her time in one room of her house. When she leaves that room to go through the rest of her house, she does not put the lights on; she uses a torch. She does not want to put the lights on because she is worried about the cost of energy.

Pam Duncan-Glancy: Will the member take an intervention?

The Deputy Presiding Officer: The member will be concluding his remarks shortly.

Stuart McMillan: My constituent is very careful about what she does and about the amount of energy that she uses. No one in energy-rich Scotland—whether they are in my constituency or elsewhere—should be living like that. If we want to tackle poverty fully in Scotland, we need to have powers over energy regulation, financial powers and, ultimately, independence, so that we can help our constituents and communities.

I again thank Elena Whitham for securing the debate.

19:01

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): I am grateful to Elena Whitham for lodging the motion and securing this important debate, and to members who have spoken so passionately about challenge poverty week. The week is being recognised across the Scottish Government, with ministers meeting grass-roots organisations and local authorities that are taking innovative action to tackle poverty. When I attended the launch of the “Poverty in Scotland 2022” report yesterday, I was struck by the strength of our commitment as a country to tackling poverty and, as ever, by the importance of listening to those who have real-life experience of living on a low income.

Making the country fairer and more equal is at the heart of the work that we do every day to help those who are struggling today; it is also at the heart of our work to invest in the changes that will prevent poverty in the future. This year's challenge poverty week could not be more important, given the cost of living crisis and the decisions that the UK Government has made, which are reducing the choices that each and every household can make.

In March, I stood before the Parliament to present “Best Start, Bright Futures”, our second tackling child poverty delivery plan. I was clear then, as I am now, that tackling poverty requires a collective effort across society. It requires public, private and third sector organisations to work together to tackle child poverty and to deliver the change that is needed.

I asked officials two weeks ago to begin to make more rapid progress with third sector organisations on moving forward with multiyear budgets because I recognise the importance to the sector of knowing what their budgets will be going forward, particularly when finances are tight. I will update the Parliament as progress is made on that matter.

Pam Duncan-Glancy: I thank the cabinet secretary for giving way. Would she be prepared to meet with the SCVO, as requested, to discuss the matter in more detail?

Shona Robison: Officials regularly meet the third sector, the SCVO and other organisations, and I have met the SCVO fairly recently. We discussed a number of issues, including multiyear budgets. That discussion is already under way.

The UK is facing the most severe economic upheaval in a generation. Families are feeling the strain of alarming rises in costs, which we can all see in our energy bills and in the supermarket aisles. Over the past two weeks, since the UK Government’s so-called mini-budget was announced, we have seen another economic wave that will hit everyone. The challenges that are being faced by so many people can feel utterly overwhelming.

Although finally reversing the scrapping of the 45p tax rate for the highest earners was the right thing to do, the UK Government should never have made that decision in the first place. I think that the decision was more down to parliamentary arithmetic than to a change in values. That shows how absolutely not in touch the UK Government is with the everyday challenges that households face right now, particularly those in poverty.

I will illustrate that point with an example. The idea that the UK Government might focus on and potentially sanction working people who are on universal credit if they do not secure more hours or a better-paid job shows how out of touch that Government is and that it does not understand the power relationship between someone who is in a low-paid job and their employer. It is not like the situation for someone in a high-paid job who negotiates their salary and a promoted post. People are literally hanging on to jobs by their fingernails, and do not have the power to ask for more hours or money. The UK Government is so out of touch. To sanction the working poor at this

time is just unbelievable, and the UK Government should absolutely think again.

Elena Whitham made important points about the need for flexible working. As well as the need for jobs that at least pay the living wage, there is a need for flexibility to take account of childcare requirements, for example. Of course, she was right to call for the scrapping of the universal credit five-week wait, the rape clause and the two-child limit.

Members made a number of other points. On Jeremy Balfour’s point about the employability budgets, it is a misrepresentation of the facts to say that £53 million has been cut from disabled people—that is just not the case. The Deputy First Minister has said that he will consider what can be done to protect employability support. There is £24 million in the budget for 2022-23 for the fair start Scotland service, which provides intensive and personalised support to unemployed disabled people and those with health conditions or other barriers to getting into work. I do not want the situation to be presented as there being no employability support for people with disabilities, because that is far from the case.

Jeremy Balfour: Will the cabinet secretary take an intervention on that point?

Shona Robison: In a minute.

I go back to the point that potentially £18 billion-worth of cuts are coming down the line, which will put the Parliament and the Government into uncharted waters.

On that point, I will take an intervention from Jeremy Balfour.

Jeremy Balfour: I absolutely recognise the cabinet secretary’s point but, at the Social Justice and Social Security Committee last week, the Deputy First Minister said that those who are not part of the disability employment scheme at the moment will probably not be able to benefit from it in the next six months. Those who are in it will benefit, but the Deputy First Minister made clear that, if somebody wants to join the scheme, they might not get in, because of the cut that the cabinet secretary’s Government has made.

Shona Robison: We will continue to do what we can, particularly for the most vulnerable. Our employability support has been pivoted to the most vulnerable, and particularly to support parents and the six priority family types. We will continue to do that, but Jeremy Balfour cannot escape responsibility for the fact that the value of the Scottish Government’s budget has gone down by £1.7 billion because of inflation, and for the tsunami of £18 billion-worth of potential cuts, which would impact severely on the Scottish budget.

Pam Duncan-Glancy: Will the cabinet secretary take an intervention?

Shona Robison: I need to make some progress, because I do not have much time.

The Deputy Presiding Officer: A brief intervention is probably in order, if you wish, cabinet secretary.

Pam Duncan-Glancy: Is the cabinet secretary content that a proper equality impact assessment of the cuts to employability support holds up the assertions that people will still get the support that they need?

Shona Robison: The Deputy First Minister made it clear that we do not want to make those changes but, if budgets to the Scottish Government are reduced and the value of the budget goes down, difficult decisions will have to be made. However, we have been clear that we will pivot employability resources towards those who most need support. In particular, we will ensure that the commitments in the tackling child poverty delivery plan will go ahead, through the parental transitions fund. We need to ensure that people get into work.

On a number of occasions, we have laid out the support that we have provided—it is almost £3 billion this year—for those who are on low incomes and households that are under pressure. Almost a third of that—it is more than £1 billion—is available only in Scotland, with the remainder being more generous than the support that is provided elsewhere in the UK. With a fixed and pressured budget, that has required us to take hard decisions, but it is important that those decisions are focused on supporting the people who most need support.

As, I think, David Torrance outlined, by the end of 2022, our package of five family payments will be worth more than £10,000 for eligible families on the lowest incomes by the time that their first child turns six, which is way in excess of anything else anywhere in the UK. Carol Mochan asked about the Scottish child payment. We have brought forward the changes to 14 November so, next month, everyone with a child under 16 who is eligible will be able to apply for the Scottish child payment, and it will be backdated to the point of application. That is huge support for families at a time when they need it the most.

Through our emergency budget review, we will continue to look at what more we can do to add to the bedroom tax and benefit cap mitigation, the £129 million through the Scottish welfare fund and discretionary housing payments to help people to stay in their homes.

There is always more that we need to do, and we will continue to look at what more we can do.

People and businesses have been deeply impacted by the cost of living crisis. The Government has vowed to do everything that it can to mitigate the situation as far as possible while meeting the increased costs of public sector pay and, of course, balancing our budget, as we are required to do. We will continue to work closely with partners in local government, the third sector, businesses, communities and people with direct experience, and to make every effort possible to ensure that every household in Scotland is able to weather the storm and that we can turn the tide together.

Meeting closed at 19:12.

Correction

Humza Yousaf, the Cabinet Secretary for Health and Social Care, has identified an error in his contribution and provided the following correction.

The Cabinet Secretary for Health and Social Care (Humza Yousaf):

At col 94, paragraph 2—

Original text—

The member should be left in no doubt at all that staffing levels are historically high under this Government—in fact, they are 6 per cent up since the onset of the pandemic. That includes our gaining an additional 550 qualified nurses and midwives since we published the recovery plan.

Corrected text—

The member should be left in no doubt at all that staffing levels are historically high under this Government. Overall, staffing is up 8.9 per cent since the onset of the pandemic. That includes our gaining an additional 550 qualified nurses and midwives since we published the recovery plan.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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