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Scottish Parliament

Wednesday 22 February 2023

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

Portfolio Question Time

Rural Affairs and Islands

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business is portfolio question time. The first portfolio is rural affairs and islands. I remind members that questions 3 and 7 are grouped together, so I will take any supplementaries on those questions after both have been answered. If members wish to ask a supplementary on any of the other questions, I invite them to press their request-to-speak button during the relevant question.

I advise members that there is a considerable amount of interest in asking supplementaries; therefore, I make the usual plea for brief questions and answers. If they are not brief, I will be cutting you off, so be warned.

Proposed Agriculture Bill

1. Michelle Thomson (Falkirk East) (SNP): To ask the Scottish Government when it will publish the final details of its proposed agriculture bill. (S6O-01900)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): The Scottish Government is committed to introducing a new agriculture bill to Parliament in 2023. A public consultation on the bill, seeking views on proposals to assist in delivering the vision for agriculture and the legislative framework that is required to replace the current common agricultural policy from 2025-26 onwards, closed on 5 December. We are now carefully considering the diverse range of views that were provided and aim to publish those responses in the spring.

Michelle Thomson: I note that information is both being gathered and emerging in stages, but what is important is that any scheme is sufficiently robust to give confidence to food producers. Will the conditionality measures that are proposed allow for that confidence to be maintained?

Mairi Gougeon: I know that our farmers and crofters want more of that detail and clarity. I made an announcement on 10 February about the publication of a route map, as well as the publication of a list of measures and where our thinking is currently at on measures for the new

framework. I hope that that gives some of the confidence that the member is asking for, as well as additional clarity.

Although the route map does not yet answer all the questions that I know there are, it provides a clear set of programme dates to explain when current schemes will transition or end and when more information will become available. It also sets out the framework diagrams that were first published as part of the agriculture bill consultation, which outline what future support will look like. In particular, that is the base tier of support, which is aimed at providing financial certainty for farmers and crofters who are engaged in food production and are actively managing land.

As we transition to the future, I reiterate my previous commitments that there will be no cliff edges when it comes to support, and we will continue to develop the details of that future support with our farmers and crofters.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): In committee this morning, we heard from stakeholders from the agriculture sector who said that they do not want to go off the cliff edge—they used that term. Farmers want clarity and confidence in order to go forward with the new agricultural payment plan.

Although there is a route map, I believe that farmers want to have a seat at the table—they want to have engagement with the cabinet secretary and the Scottish Government. Will the cabinet secretary commit to doing that to give farmers the confidence to move forward with their plans?

Mairi Gougeon: Absolutely; I am more than happy to do that. That is where the process that we are taking forward is really important. I know that people are desperate for more detail and more clarity, but, as I said in my first response, I hope that what we have published gives more of that information.

Fundamental to our whole approach is that co-development and co-design and the discussions with farmers and crofters. When we implement new measures, I absolutely want to ensure that we get them right, that they work and that they can be implemented well. I am more than happy to commit to that engagement.

Although we have the agricultural reform implementation and oversight board, which is key in helping us to design some of that, I know that there are other stakeholder groups that will want to get involved in the conversation. Of course, I am happy to get out and about and engage with farmers and crofters directly.

Connectivity (Islands)

2. Graham Simpson (Central Scotland) (Con): To ask the Scottish Government what discussions the rural affairs secretary has had with ministerial colleagues and councils regarding improving connectivity for Scotland's islands. (S6O-01901)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): As the Cabinet Secretary for Rural Affairs and Islands, I am responsible for ensuring cross-government co-ordination on islands, and I regularly engage with my ministerial and local authority colleagues. A key forum for those discussions is the islands strategic group, which brings together ministers and the leaders and chief executives of the island local authorities.

Graham Simpson: The cabinet secretary will be well aware of the Orkney Islands ferry task force, and, as the islands minister, I hope that she is involved with that. What can she say to provide reassurance that that will not be yet another talking shop and that it will lead to tangible results—that is, to new ferries?

Mairi Gougeon: The member will be aware that the Deputy First Minister is involved in that task force. I do not think that anybody would want that to be a talking shop; we all want it to lead to action. Therefore, I do not think that it is fair to write that off at the moment. The task force met on 31 January. I am, of course, happy to take up the matter with the Deputy First Minister and to provide a further update on that work.

The Deputy Presiding Officer: I have a number of requests to ask supplementaries. They will have to be brief, as will the answers.

Rhoda Grant (Highlands and Islands) (Lab): Yet again, we have ferry chaos in the Western Isles. The relief ferry that is serving South Uist and Barra has technical issues, so it can sail only in daylight. Even with stretching daylight hours, that places a huge restriction on its operation. As I mentioned, we are talking about a relief ferry, but Uist is already facing disruption due to the Uig pier closures. What is the cabinet secretary doing to mitigate the impacts of the ferry chaos on islanders who cannot plan, work and socialise without—

The Deputy Presiding Officer: I call the cabinet secretary.

Mairi Gougeon: I absolutely recognise how critical those links are. I am sure that the member will already have raised the point with the Minister for Transport, but I am more than happy to do that on her behalf and to come back with a response on her specific queries.

Fiona Hyslop (Linlithgow) (SNP): We heard from island councils in a recent Net Zero, Energy and Transport Committee meeting that Transport Scotland engages with councils only on its own pre-determined agenda, which has not included fixed-link or tunnel connections for islands to date. Some of the councils want to seriously engage on the potential of those measures. Will the cabinet secretary discuss with her ministerial colleagues how they might ensure Transport Scotland's full and proper engagement on initial assessments of what might be possible?

Mairi Gougeon: I am more than happy to engage with my ministerial colleagues on that. I believe that Transport Scotland engaged with local authorities on the subject of fixed links as part of the second strategic transport projects review—STPR2—and that all local authorities have responded to the consultation that accompanied that draft publication in January last year. However, I am more than happy to take that up with my colleagues and to follow up on the matter.

Beatrice Wishart (Shetland Islands) (LD): Tunnels would greatly improve economic and social connectivity in Shetland and they would not be subject to closure due to adverse weather conditions. When will the Scottish Government sit down with local action groups, councillors and officials to seriously consider feasibility studies for short tunnels in Shetland?

Mairi Gougeon: Again, I am more than happy to raise that point with the Minister for Transport to see how any discussion on that could be progressed and I will follow up on the matter with the member.

Deposit Return Scheme (Drink Industry Supply Chain)

3. Sharon Dowey (South Scotland) (Con): To ask the Scottish Government what discussions the rural affairs secretary has had with ministerial colleagues regarding the potential impact on the drink industry supply chain of the introduction of the deposit return scheme. (S6O-01902)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): I have kept ministerial colleagues updated with developments during the implementation process. Most recently, earlier this month, I sent a letter to all MSPs that provided a comprehensive update ahead of the launch of the United Kingdom's first deposit return scheme. I will continue to keep Parliament up to date as we head towards the go-live date in August.

The Deputy Presiding Officer: I ask Sharon Dowey to adjust her microphone slightly before she comes back in.

Sharon Dowey: I have spoken to rural businesses, which have raised concerns about the 24 substantial steps that are required to register for the deposit return scheme. The first step requires businesses to sign up to a three-year legal commitment, which will significantly change their operations and could even bankrupt them. If businesses fail to sign up by next week, they risk no longer being able to sell in Scotland, which could significantly impact the rural supply chain. Will the minister engage with those businesses to limit the impact on the rural supply chain and ask her Cabinet colleagues to listen to and address those concerns?

Lorna Slater: I am taking very seriously the concerns that small producers have raised, as the member will note from the significant intervention for all producers, with a focus on small producers' needs, that was announced on Tuesday—an increase in cash flow and simplification of labelling for small quantities.

Tomorrow, I will meet small producers again to see what else we can put on the table to help them to comply with the legislation. I would encourage all producers to begin their registration process with Circularity Scotland by the deadline of the end of this month.

Deposit Return Scheme (Impact on Small-scale Drinks Producers)

7. Jamie Greene (West Scotland) (Con): To ask the Scottish Government what discussions the rural affairs secretary has had with ministerial colleagues regarding the potential impact of the deposit return scheme on small-scale drinks producers. (S6O-01906)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): As I confirmed in my response to Sharon Dowey, I have kept ministerial colleagues updated with developments during the implementation process. The letter that I sent to all MSPs earlier this month details measures that we have put in place to support businesses, including small producers. I will continue to listen to the concerns of small producers and to hear whether there is any further action we can take to support them ahead of the scheme going live.

Jamie Greene: As part of that listening exercise, the minister could listen to this. Philip Sisson runs Simple Things Fermentations, a small craft brewery in Glasgow. He has written to me today and would like me to say this to the minister:

"DRS will have a catastrophic impact on my business and the craft sector. We survived the pandemic by producing quality products and offering excellent service, but that won't be enough to get us through the chaotic implementation of a badly flawed DRS".

He further says:

"small producers are being thrown under the bus".

Is he wrong?

Lorna Slater: I met small producers a week ago on Friday, when we discussed their concerns in great detail, including their specific concerns around cash flow for their businesses and the costs around labelling of small quantities. On Tuesday, Circularity Scotland announced an intervention of £22-million worth of support for the cash flow of small businesses and a solution for labelling, specifically to support craft brewers, small wine importers and craft beer producers. That is a significant intervention to support those businesses, and I look forward to meeting them again tomorrow to find out whether there is anything further that we can do to support them to participate in the scheme.

The Deputy Presiding Officer: There are a number of supplementaries. I make the same appeal for brief questions and answers.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I must agree with Jamie Greene. I have been written to by Traquair House Brewery in my constituency. Famous for its craft brews, it has been operating since 1965. It has a global reputation and exports around the world. All of its materials are sourced locally, and the malt is even put into a cattle feed. It tells me that, if nothing else is done, the deposit return scheme will have a devastating effect on its business in all respects. I hear what the minister said, but—

The Deputy Presiding Officer: Question, please, Ms Grahame.

Christine Grahame: —will the minister please listen to the small craft breweries?

Lorna Slater: I take the considerations and concerns of small businesses very seriously. That is why I met them a week ago Friday, and why this week we have put in place a significant intervention. Circularity Scotland has announced £22 million of cash-flow support and a specific response to the concerns around labelling. Those were the issues that were raised with me by small business, and those are the solutions that have been put in place by Circularity Scotland. I will meet those businesses again tomorrow to take forward any further concerns.

Colin Smyth (South Scotland) (Lab): The minister will know that a Scotland-wide tender was issued to American hedge fund-owned Biffa to provide collections under the deposit return scheme. What assessment has the minister made of the impact on the small and medium-sized businesses in rural communities that are excluded

from that decision, and which in some cases will lose existing contracts for recycling collections?

Lorna Slater: Circularity Scotland is a private business and therefore its procurement processes are for it to decide. It is not a Government procurement process and Circularity Scotland may conduct procurement as it wishes to do. *[Interruption.]*

When the deposit return scheme comes online, the amount of glass and other recyclates in the system that is collected and cleaned for recycling will increase enormously. Kerbside recycling and other systems will still deal with non-scheme articles. Pasta jars, shampoo bottles and all such materials will still be part of the standard recycling scheme. *[Interruption.]* The deposit return scheme specifically increases the volume and the quality of recyclate of scheme materials, which will increase our overall recycling in Scotland.

The Deputy Presiding Officer: Mr Lumsden, no more heckling from a sedentary position, please.

Collette Stevenson (East Kilbride) (SNP): Can the minister outline the discussions that the Scottish Government and drinks producers have had? Will those discussions continue, particularly with small businesses, to ensure that the roll-out is a success?

The Deputy Presiding Officer: As briefly as possible, minister.

Lorna Slater: As I have outlined to other colleagues, I am taking a pragmatic approach on the implementation of the DRS. I regularly meet industry stakeholders, including drinks producers, to get direct feedback on the scheme and to identify challenges and solutions. As a result of industry feedback, particularly from small businesses such as craft breweries, Circularity Scotland has announced a £22-million package of support for those producers.

I will continue to engage with businesses. Indeed, tomorrow I will meet small drinks producers again to discuss their readiness for launch.

Outdoor Education Centres

4. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government, in relation to its cross-government co-ordination on islands policies, what discussions the rural affairs secretary has had with ministerial colleagues regarding any impact on rural and island communities of the closure of outdoor education centres. (S6O-01903)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): Ministers and officials across portfolios are aware of and consider the

important role that outdoor centres have in rural and island communities. Outdoor centres can provide educational experiences, create employment and volunteering opportunities and support connections into the wider rural economy. Such considerations were a key element of decisions to provide £4 million in tailored emergency financial support to outdoor education centres during the Covid-19 pandemic.

Kenneth Gibson: It is welcome news that the Arran Outdoor Education Centre has been saved from possible closure by North Ayrshire Council's Scottish National Party administration. Does the cabinet secretary agree that it is important to provide long-term guarantees regarding the retention of such facilities and that the staff, parents and young people, who strongly value such unique resources, deserve to know that, each year, they will not have to worry about potential closure?

Mairi Gougeon: I know that this will have been a concerning time and that, as the member says, those decisions are taken annually. It is not for Scottish ministers to intervene in local authority spending decisions. Councils are autonomous, and it is their responsibility to agree their annual budgets, taking into account their statutory duties as well as other national and local priorities. Of course, they are accountable to the public who elect them, and they have the financial freedom to operate independently while taking account of local need. However, I would encourage North Ayrshire Council to consider staff and service users in the decisions that it makes, as I am sure that it does at the moment.

Inshore Fisheries

5. Gillian Mackay (Central Scotland) (Green): To ask the Scottish Government whether it will provide an update on the steps that it is taking to improve the management of inshore fisheries, in light of the reported increasing pressures on fishers and fish stocks in Scotland's coastal regions. (S6O-01904)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): Scotland's fisheries management strategy sets out the Scottish Government approach to sustainable and responsible sea fisheries management in Scotland. A delivery plan was published in September last year, setting out how and when we will deliver the range of actions in the strategy. There is a clear signal on front-loading actions that will deliver enhanced environmental benefits and significant improvements to our fisheries management approach, including inshore fisheries. The plan contains a mix of actions from the strategy, alongside the commitments in the

Bute house agreement. Those will all be delivered in partnership with our stakeholders.

Gillian Mackay: It is heartening to note the commitment to place the fisheries management and conservation group—FMAC—on a more strategic footing. Given the importance of the inshore region for livelihoods and biodiversity, what plans does the Scottish Government have to develop ecosystem-based inshore fisheries management plans, including spatial or temporal management measures, to help to achieve our legal duty of managing our seas to good environmental status? What are the timescales for that work?

Mairi Gougeon: The member has rightly outlined our legal obligations as set out in the joint fisheries statement, and the types of approaches that are set out in that. In our response and in that document, we have committed to an overarching strategy across the United Kingdom that we can all sign up to. That provides us with flexibility and recognises the devolved responsibilities in each of the areas.

The fisheries management strategy that I talked about is critical in relation to that, as are a number of pieces of work that we are currently taking forward. The member talked about the refresh of FMAC that has been undertaken. We have also been looking at the role of our regional inshore fisheries groups, as well as doing a number of pieces of work on our future catching policy. We have had a consultation on remote electronic monitoring technology, as well as looking at other measures in relation to inshore fisheries. I hope that that offers some assurance about the work that we are taking forward, which ultimately will meet our objectives.

The Deputy Presiding Officer: I will not get in all the members who have requested supplementary questions, but I will get in as many as I can.

Finlay Carson (Galloway and West Dumfries) (Con): Does the cabinet secretary agree with her Green coalition partner Ariane Burgess that fish stocks around Shetland are “in rapid decline” as a result of

“destructive methods of inshore fishing”,

or does the cabinet secretary instead agree with the Shetland Fishermen’s Association’s well-evidenced response that her comments are ignorant of the fact that

“Shetland’s inshore waters still teem with the same fish and shellfish stocks that have helped sustain our community for generations”,

as a result of sustainable fishing practice?

Mairi Gougeon: Sustainable fishing practices are exactly what we want to see. A key part of my

role is going out and about visiting our islands and speaking to fishers and farmers. I know that people greatly care about the environment in which they operate. In my initial response to Gillian Mackay, I outlined the work that we are taking forward, why it is so important and the objectives that were set out in the joint fisheries statement. We are legally obliged to adhere to those, which is why the measures that we are proposing are so important.

In all the work that we are taking forward, it is critical that we engage with our fishers and other stakeholders. It is in all our best interests to ensure that we have a healthy marine environment with healthy fish stocks so that, in future, we have fishers and a fishing industry to provide that valuable food source for us.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): The Government has already committed to introducing legislation to make remote electronic monitoring mandatory on scallop dredge and pelagic vessels. Does the cabinet secretary agree that, during a period in which there are likely to be changes in how we interact with the marine environment, we must ensure that fishers are recognised for the valuable role that they play?

Mairi Gougeon: I could not agree more with Alasdair Allan’s point. We recognise the vital role that fishing plays in our economy and how many jobs it supports in our coastal communities. It also contributes to Scotland’s hugely successful food and drink sector. Quality Scottish seafood is prized right around the world, and we will continue to do all that we can to support the industry.

Avian Flu

6. Alexander Burnett (Aberdeenshire West) (Con): To ask the Scottish Government whether it will provide an update on avian flu in Scotland. (S6O-01905)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): In Scotland, since the start of October last year, there have been 21 confirmed cases of highly pathogenic avian influenza H5N1 in poultry and captive birds and 107 findings in wild birds.

We continue to monitor the number of cases in poultry and wild birds. The latest evidence suggests that we are beginning to see a decrease in the rate of cases across Great Britain. In response to the decrease, we have adjusted the reporting thresholds for surveillance of wild birds to support the on-going monitoring of the level of the disease that is circulating in wild species.

Alexander Burnett: We now know that avian flu can be transferred to seals, after four Scottish seal carcasses tested positive for the virus earlier this month. One of those seals was found dead in

Aberdeenshire in 2021. Will the cabinet secretary confirm when she first learned about the transfer of avian flu to seals and outline what action she has taken to mitigate the impact of that?

Mairi Gougeon: The first point that I want to make is that the risk to human health from the virus is low. Food Standards Scotland advises that avian influenza poses a very low food safety risk to people who consume poultry products, including eggs.

In relation to what the member said about cases in other mammals, in samples that were taken last year as part of routine wildlife surveillance, the presence of avian influenza was detected in four otters and four seals from Scotland, as well as in five red foxes from England and Wales. Those animals were found in areas with a high incidence of H5N1 in wild bird populations, and scavenging on wild birds is thought to have been the source of infection. However, the detection of the virus does not mean that the virus caused the deaths of the animals.

We know that wild birds and animals can carry several diseases that can be transmitted to people, so people should not touch or pick up dead or visibly sick birds. I know that the issue is of concern, but the risk that we are associating with it is still considered to be extremely low, so I offer assurances on that front.

Our chief veterinary officer and our animal health teams are working flat out on the issue. They are continuing their surveillance to see what action, if any, can be taken to try to stop the spread of the virus.

The Deputy Presiding Officer: I ask for very brief supplementary questions.

Ariane Burgess (Highlands and Islands) (Green): When will the response plan for wild birds be published? Will it contain tangible measures for protecting and conserving wild birds, and on carcase collection, during the HPAI outbreak?

Mairi Gougeon: The response plan is still under development, but I am happy to follow up with Ariane Burgess and provide, I hope, a more indicative timescale.

Evelyn Tweed (Stirling) (SNP): In the light of avian flu being discovered in Stirling last week, will the cabinet secretary briefly outline the biosecurity steps that people can take to reduce the spread of the disease?

The Deputy Presiding Officer: I doubt that you will be able to outline them briefly, cabinet secretary, but please do so as briefly as possible.

Mairi Gougeon: It is really important to highlight and remember that biosecurity measures are

critical and offer the best protection against the spread of the disease. Such measures include cleaning and disinfecting clothes, footwear and equipment; reducing the movement of people and vehicles; and preventing contact with wild birds. Those are just some of the measures that people can take. It is really important that people take biosecurity seriously.

Independent Food and Drink Businesses (Rural Areas)

8. Daniel Johnson (Edinburgh Southern) (Lab): To ask the Scottish Government what it is doing to support local, independent food and drink businesses in rural areas. (S6O-01907)

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): We are providing a broad range of measures to support local, independent food and drink businesses in rural areas. That includes £15 million of funding towards the Scotland food and drink recovery plan from 2020 to 2023; £17.5 million over the past two years for businesses across Scotland through the food processing, marketing and co-operation grant scheme; and £500,000 towards the Scottish Grocers Federation's go local programme, which we know has helped many independent convenience operators in rural areas to transform their stores and to stock more locally sourced produce.

Daniel Johnson: That will all be for nought if the Government does not sort out the deposit return scheme. Ultimately, what small producers and retailers want is the simplification of stock keeping unit—SKU—registration and bar codes, an opt-in possibility and the removal of the arbitrary hard deadline that is coming up.

Has the cabinet secretary had a formal meeting with Lorna Slater to discuss those options? If so, when?

Mairi Gougeon: I have of course discussed those matters with my ministerial colleagues, given their impact and the nature of the responsibilities in my portfolio. In the responses that the minister has given to previous questions, she has already outlined some of the really important measures that have been introduced.

The minister has engaged with a wide variety of businesses that the DRS has impacted and is taking their concerns on board; a debate covering the issue is taking place this afternoon.

The minister is listening and taking action.

The Deputy Presiding Officer: That concludes portfolio questions on rural affairs and islands.

Health and Social Care

The Deputy Presiding Officer: The next item of business is portfolio questions on health and social care. I remind members that questions 1 and 3 are grouped. I will take supplementaries on those questions after both have been answered. Anyone seeking to ask a supplementary question on any other question should press their request-to-speak button during the relevant question.

As there is considerable interest in asking supplementaries, I make the same appeal as I made previously for members to keep their questions brief if they are invited to ask a question and for the ministerial team to keep answers brief as well.

Student Nurses

1. **Sue Webber (Lothian) (Con):** To ask the Scottish Government what steps it is taking to increase the number of student nurses. (S6O-01908)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): The Scottish Government has increased nursing student numbers every year for the past 10 years. However, we know that the undergraduate programme is not the only solution for increasing the number of nurses in our national health service and other sectors, which is why we are working with partners to widen access to those vital nursing programmes.

We now have an education and development framework for NHS bands 2 to 4 healthcare support workers, which will allow them to develop within the scope of their role to support the registered workforce and, importantly, to achieve progression in their job family.

At the same time, we are exploring how to expand options for our healthcare support workers to continue to enter programmes on an earn-as-you-learn basis as well as access programmes for undergraduate nursing degrees.

Sue Webber: The Universities and Colleges Admissions Service—UCAS—has reported that applications to study nursing in Scotland were down 24 per cent this year, with just over 5,000 applicants. There are more than 4,500 vacancies in nursing and, importantly, more than 2,500 nurses have left the profession in the 12 months to September 2022.

The Scottish Government's announcement of a minister-led nursing task force is welcome, but any recommendations from it are a long way off. It is clear that student nursing numbers in Scotland are in crisis. What immediate action is the cabinet secretary taking to reverse that trend?

Humza Yousaf: I thank Sue Webber for her really important question. She is right to say that the level of vacancies is not where we would want it to be—to put it mildly—which is why the nursing and midwifery task force, which came out of a discussion with the Royal College of Nursing, the Royal College of Midwives and other trade union partners, is exceptionally important.

Notwithstanding the point that Sue Webber has correctly made about the numbers being 24 per cent down, I ask Sue Webber to remember that recruitment into nursing programmes will continue until June, so we expect that number to increase as we get towards June.

Given the need for brevity, I will update Ms Webber in writing on how we are doing in relation to international recruitment.

Let me make it clear that there is a real opportunity for the nursing and midwifery task force to widen entry into nursing. The good work that we are doing on pay will help to retain nurses, too, and will make the exit door out of nursing very narrow indeed.

Nursing (Number of Student Applicants)

3. **Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government what action it is taking to ensure that the number of applicants applying to study nursing in Scotland does not drop further in the future, in light of Universities and Colleges Admissions Service data reportedly showing that the number of applicants has fallen by 24 per cent compared to the same point last year. (S6O-01910)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I will be relatively brief, because I answered some of that question in my previous response. I hope that Colin Beattie will be reassured that higher education institutes continue to recruit to the programmes until June, so we would always expect there to be an increase between the figures that are released in January and the figures that are released in June.

Not all funded places are applied for via UCAS—something that Colin Beattie will undoubtedly know. For example, Open University funded places and applications for those will also contribute to final student numbers.

Lastly, the pay offer that we have put on the table for 2023-24 will ensure that our nurses, as well as other NHS agenda for change staff, remain the best paid in the entire United Kingdom. That is a great draw to get those individuals working in the NHS.

Colin Beattie: It is important to ensure that we have provision for the future nursing workforce in our health service and that we encourage

applicants to study nursing in Scotland. With that in mind, Scotland has seen a 5 per cent increase in acceptance of nursing and midwifery places since 2019. Will the cabinet secretary outline the steps that are being taken to encourage applicants, and will he confirm that we are recruiting at the level that the country needs?

Humza Yousaf: I thank Colin Beattie for that question. I reiterate what I said to Sue Webber: the level of vacancies is not what we want to see, and we want to reduce that level as much as we possibly can. Our nurses make up the largest profession in our NHS, and I am proud that we have increased our funded nursing places for 10 consecutive years, but we are now very actively working on the widening access to nursing programme.

I go back to the point that I made in answer to the previous question, that the nursing task force recommendations might take some time to implement. Actually, we are looking for some really quick wins. I think that we can make some quick wins to widen access to the profession, and I will keep members who are interested updated on the work of the task force.

The Deputy Presiding Officer: There are a number of supplementary questions. Those questions and the responses will need to be brief.

Jackie Baillie (Dumbarton) (Lab): The 24 per cent reduction in the number of people applying to study nursing is the biggest drop in applicants for nursing in any part of the UK and the lowest figure at any point in the past five years. With 6,300 nursing vacancies in Scotland, the reductions in the numbers applying will add to the workforce crisis. Others have asked what the cabinet secretary intends to do to boost recruitment. Let me focus on the short term. Will the cabinet secretary bring forward a retention strategy to stop nurses leaving in droves because they feel exhausted and burnt out?

Humza Yousaf: Jackie Baillie makes a reasonable point about the retention side of things. That is precisely why we set up the nursing and midwifery task force. It is there to look at, for example, flexible working. How many nurses have Jackie Baillie and I spoken to who have said that they feel that the NHS is simply not flexible if they want to change their shift patterns? The task force will look at, for example, what more we can do on and around retention. That will be a key focus.

Instead of setting up the strategy, the right way round to do it is to engage with the Royal College of Nursing, trade unions and employers, engage with the staff—hear from them directly their suggestions for what they want to see—and try to get some quick wins. *[Interruption.]* I do not think that there is much between us. I cannot quite hear

Jackie Baillie as she shouts from a sedentary position, but—

The Deputy Presiding Officer: Please ignore the sedentary comments.

Humza Yousaf: I am happy to pick that up with her after the meeting.

Sandesh Gulhane (Glasgow) (Con): The Royal College of Nursing exposes the crisis in nursing by underscoring the significant risk to patient care, with nine in 10 nurses—almost 86 per cent—reporting that their last shift was unsafe for them and the care of their patients. We cannot afford the nursing task force being a talking shop. As I am likely addressing our new First Minister, will he please outline—

The Deputy Presiding Officer: Ask the question, please.

Sandesh Gulhane: —how he will improve safety for patients and nurses?

Humza Yousaf: I might not put that endorsement on my leaflet, but I thank the member for the comment. I say to Sandesh Gulhane that what would definitely not help us is the approach that the UK Government has taken, which is to not meaningfully engage with nurses, who then go on strike and feel that they are devalued. We are taking a different approach. We are engaging meaningfully with our nurses, we have avoided dispute, we have avoided strikes, and here we are ensuring that they are—that they remain—the best paid nurses anywhere in the UK.

We will continue to engage with our nurses. The task force will not be a talking shop. I am surprised that the member described the RCN as a talking shop. It will be an integral member of the nursing and midwifery task force, and it has welcomed it—*[Interruption.]* In fact, the nursing and midwifery task force idea—

The Deputy Presiding Officer: Cabinet secretary—

Humza Yousaf: —came from the RCN, and I am delighted to be a part of it.

The Deputy Presiding Officer: Cabinet secretary, I asked for brief responses.

Paul McLennan has a brief supplementary question.

Paul McLennan (East Lothian) (SNP): Does the cabinet secretary agree that the UK Government should match the £10,000 non-means-tested bursary that students in Scotland get, to attract students from across the UK to the sector? Does he agree that, if the UK Government were to match the pay deal that has been offered to nurses in Scotland, it would need to increase pay by 14 per cent? *[Interruption.]*

Humza Yousaf: I do not know why the Conservatives are moaning about that. They ask about recruitment and retention, and that is fundamental.

I agree that other Governments should look to what we are doing to ensure that nurses do not start their working lives in debt. With our pay offer, an experienced nurse in Scotland will earn £37,664 compared to £32,934 in England, which is a 14 per cent difference.

We should not only reward nurses as best we possibly can, but ensure that those who are training to be nurses get all the support that we can possibly give them.

National Care Service (Scotland) Bill

2. Monica Lennon (Central Scotland) (Lab): I refer members to my entry in the register of members' interests, as I am a member of the GMB and Unite trade unions.

To ask the Scottish Government what its response is to trade unions and charities forming a "coalition of concern" to request that the National Care Service (Scotland) Bill is paused to allow further co-design and consultation. (S6O-01909)

The Minister for Mental Wellbeing and Social Care (Kevin Stewart): I declare an interest as a member of Unison.

We remain committed to the bill. People with direct experience of social care and community healthcare have repeatedly told us that the system needs to change. We must end the postcode lottery and drive up standards across Scotland. I welcome the engagement that trade unions and charities have had to date, and I strongly encourage the third sector, councils, the workforce, charities, unions and other people to engage in the co-design process.

Monica Lennon: The response from civic society in Scotland is catastrophic. It is not engagement that we need, but a minister and a Government that will listen. The list includes the Scottish Trades Union Congress, Unite, GMB, Unison, Who Cares? Scotland, Parkinson's UK, Common Weal and even the Scottish National Party Trade Union Group. It cannot be ignored. We now have candidates for First Minister saying that the bill should be paused. What work is happening around Government tables to listen, learn from other bills and pause this?

In terms of valuing the workforce, a 40p pay rise is an insult. What will be done to deliver a credible pay rise of at least £15 an hour for our hard-working care workers?

Kevin Stewart: We are committed to delivering the national care service bill by the end of this parliamentary session. I continue to listen—and I

wish that folk would listen to others who may not share their views. Earlier, just before coming into the chamber, I met the dementia lived experience panel. Those people want to see the end of the postcode lottery of care. Those folk want to see national high-quality standards, and they want to see the national care service.

The national care service will allow us to ensure that there is sectoral bargaining over pay and conditions, which will be the case for the first time. Of the people who responded to the consultation, 72 per cent wanted a national care service, and we will deliver that.

The Deputy Presiding Officer: I will take a brief supplementary question from Audrey Nicoll.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): It is important to recognise the urgent need to make improvements to social care now and not to wait for the NCS to start that process. With that in mind, will the minister provide an update on the action that is being taken now to address challenges in social care?

The Deputy Presiding Officer: Very briefly, minister.

Kevin Stewart: We are taking action now to address challenges in social care. Our manifesto commitment was to increase social care funding by at least £840 million over the parliamentary session, and we are on course to substantially exceed that. Yesterday's budget set out £1.1 billion in adult social care support from the health portfolio. The 2023-24 budget has increased social care spending by more than £800 million compared to 2021-22. That is working in the here and now to improve social care in Scotland.

The Deputy Presiding Officer: My apologies to those members whose questions I was not able to take.

Patient Support

4. David Torrance (Kirkcaldy) (SNP): To ask the Scottish Government what action it is taking to address the "waiting well" agenda, in light of the recent round-table event on supporting patients that was hosted by Scotland Versus Arthritis. (S6O-01911)

The Minister for Public Health, Women's Health and Sport (Maree Todd): The Scottish Government's preventative and proactive care—PPC—programme is developing a waiting well framework and associated delivery action plan. That will help to improve health and wellbeing outcomes for people waiting for health and social care interventions. A steering group has been set up to steer that work, with the first meeting having taken place on 21 February 2023.

David Torrance: Scotland Versus Arthritis's six-part support package for people who are waiting for joint replacement surgery suggests that the key elements of support are communication; personalised self-management support; access to physical activity programmes; mental health support; signposting to financial support and advice; and including waiting well support in the national health service recovery plan. Does the Scottish Government agree with that approach? To what extent are NHS boards being assessed on their delivery of support for patients?

Maree Todd: The Versus Arthritis support package was tested by the Golden Jubilee national hospital around orthopaedic pathways. Following that, a proposal was submitted to the centre for sustainable delivery and our planned care improvement programme, which is now being considered as part of the waiting well workstream within the preventative and proactive care programme. Versus Arthritis is a member of the waiting well steering group, and the improvement areas that it has highlighted, such as communication, will be taken forward as part of that workstream. That will include monitoring of how waiting well is implemented.

Paul O'Kane (West Scotland) (Lab): On the Cabinet Secretary for Health and Social Care's watch, we are facing a waiting times crisis. There are stories of people having to fundraise for private surgery, rather than wait in pain. Where is the Scottish Government's urgency on treatment options and treatment centres? How will the health secretary ensure that people have access to meaningful waiting plans that are influenced by a waiting well strategy that is supported by the third sector?

Maree Todd: Yet again, my Labour colleague has not mentioned or acknowledged the global pandemic that this country and the whole of the western world have come through. According to him, that has had no impact whatsoever.

To increase capacity and improve the situation for people who are waiting for surgery, we are investing in national treatment services, four of which will open very soon.

Accident and Emergency Department Waiting Times (NHS Fife)

5. Roz McCall (Mid Scotland and Fife) (Con): To ask the Scottish Government what steps it is taking to eliminate long waits in accident and emergency departments within NHS Fife. (S6O-01912)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): The national health service has experienced one of the toughest winters in its history. This winter, pandemic

backlogs, Brexit-driven staff shortages and increased levels of respiratory viruses all coalesced to place significant demand on services. Performance against the four-hour target is clearly not where we want it to be or where the public would expect it to be. Nevertheless, performance has recovered since that really challenging period in the winter peak.

We are now working with NHS Fife to reduce A and E waits through our £50 million collaborative programme. We are focusing on three key areas for NHS Fife: the rapid triage unit for general practitioner referrals, which has now opened; increased use of the discharge lounge, to speed up the discharge process, which we know is so vital for the flow through the hospital; and reducing the length of stay and the number of boarders.

Roz McCall: I thank the cabinet secretary for that answer, but progress is too slow.

Scottish Conservative colleagues recently met a group of constituents whose loved ones received appalling treatment in Fife. One of those constituents is Trish Nolan. Her husband John, who is suffering from terminal bladder cancer, was left on a trolley in accident and emergency for more than four hours. No nurses or clinicians came to check on him or gave him any pain relief. John came very close to dying of sepsis that day.

Will the cabinet secretary apologise to John Nolan for his A and E treatment? Will he, at the very least, agree to meet families who have lost loved ones due to the failure of Fife health services?

Humza Yousaf: I take the opportunity to apologise to anyone—including the Nolan family—who has received an unacceptable level of treatment. As health secretary, that is not what I want to see. I am pleased that Roz McCall and other members raise such cases in the chamber. As Roz McCall would imagine, I regularly meet families who have not had a good service in the health service, and I never hesitate to apologise if they have not received the service that I would expect, let alone the service that they would expect.

We are seeing some improvements in NHS Fife. I do not know whether Mr Nolan's experience was during the winter peak, which I mentioned in my initial response, but NHS eight-hour waits are almost 75 per cent lower, and 12-hour waits are almost 100 per cent lower, than they were in the week ending 1 January, which was the epicentre of the winter peak.

I am seeing shoots of improvement, but we still need to make more progress. Of course, I will be happy to continue to meet families who have not had the service that we would expect them to have in the NHS.

The Deputy Presiding Officer: I can fit a couple of supplementaries in, but they will need to be very brief, as will the responses.

Alex Rowley (Mid Scotland and Fife) (Lab): This week, I met health unions in Fife and they are clear that a key factor in the problems that they have is the rise in the size of waiting lists for social care. Does the cabinet secretary recognise that? Does he recognise that poor pay, terms and conditions are key factors in that, and that therefore, rather than wasting £1.4 billion setting up a centralised bureaucracy, will he put money in now—

The Deputy Presiding Officer: Cabinet secretary.

Alex Rowley: —to pay care workers the rate for the job?

The Deputy Presiding Officer: I call the cabinet secretary.

Humza Yousaf: Alex Rowley raises a really important point and I will give him, I hope, some comfort by letting him know that the statistics that came out in December 2022 show that Fife recorded 118 delays. That is still far higher than Alex Rowley and I would like to see, but it is a decrease from the 131 of the previous month, so we are seeing some level of progress.

We will continue to invest in social care, and there have been a number of pay rises for social care staff. In the next financial year—2023-24—we are not spending £1.5 billion on the national care service; it would be incorrect to say that. On the amount of money that we will be spending on the national care service in 2023-24, we may well look to see how we can rebalance some of that into current spend, but it will be nowhere near the magnitude that Alex Rowley said. I will look to work with—

The Deputy Presiding Officer: Briefly, Willie Rennie—

Humza Yousaf: —to see what more we can do to support it.

Willie Rennie (North East Fife) (LD): The Royal College of Emergency Medicine Scotland has been quite clear that long waits in A and E can result in deaths and harm, as Roz McCall has just highlighted. Has the cabinet secretary done an assessment of the impact in Fife of those long waits? In the last week of January, 360 people waited for over four hours, and 50 waited for over eight hours. Has he done an assessment—

The Deputy Presiding Officer: Cabinet secretary.

Humza Yousaf: I do not disagree with the premise of Willie Rennie's question. I know that the Royal College of Emergency Medicine has

raised the issue. The excessively long waits in our A and E departments mean that patients will come to harm. That is why we are focused on reducing them.

I mentioned not-insignificant reductions in 12-hour and eight-hour waits in Fife. That is where our focus is and our targets are. I agree with Alex Rowley: we must focus relentlessly on social care, to get discharges out of hospital and help the flow through hospital.

We are still seeing the challenges that we know that social care faces. People are still presenting with higher acuity. I will continue to work with the sector to try to find solutions—

The Deputy Presiding Officer: Question 6 comes from Neil Bibby.

Prostate Cancer Diagnoses

6. Neil Bibby (West Scotland) (Lab): To ask the Scottish Government what action it is taking in light of January's Prostate Cancer UK data on regional inequalities in prostate cancer diagnoses. (S6O-01913)

The Minister for Public Health, Women's Health and Sport (Maree Todd): We have noted the Prostate Cancer UK research and we are discussing it with clinical expert groups across NHS Scotland, including the national cancer recovery group. Prostate Cancer UK will host a meeting in the coming weeks with officials and primary and secondary care clinicians in NHS Scotland to further analyse the data and explore how best to support earlier diagnosis efforts for prostate cancer.

We recognise that staging prostate cancer is often complex, but when we compare survival rates, which is of course the most crucial measure for any patient, we see that Scotland's five-year survival rate for prostate cancer is 84.3 per cent and in fact is not significantly different from the rate in other United Kingdom nations.

Neil Bibby: Tragically, Scotland has the worst figures for prostate cancer diagnosis in the United Kingdom. More than one in three Scottish men with prostate cancer are diagnosed too late for a cure; that figure is just one in eight in the south-east of England. What is more, the west of Scotland performs particularly poorly in terms of prostate cancer waiting times. NHS Greater Glasgow and Clyde significantly underperforms other health boards on treatment standards.

The Government previously assured us that it was investigating those figures. What has been the outcome of the Government's investigation? What is the minister doing to end the shocking postcode lottery on prostate cancer diagnosis and—

The Deputy Presiding Officer: Minister.

Maree Todd: I would urge some caution and, I hope, offer some reassurance to people who might understandably be concerned about the matter. It is worth noting that the report itself highlights the risk of overdiagnosis, which is when there is a diagnosis of a cancer that the person would not otherwise have been aware of and would not have died from. The use of tests such as the prostate-specific antigen test, which is used more in the rest of the United Kingdom, increases the risk of that.

As I said, ultimately, the most crucial measure is that of survival, and the rate for that is similar across the UK. I hope that that offers some reassurance to the public.

Breastfeeding

7. Natalie Don (Renfrewshire North and West) (SNP): To ask the Scottish Government what its position is on the recommendations in the 2023 series on breastfeeding by *The Lancet*, which include calls for Governments to provide more accurate and timely information about breastfeeding and infant behaviours, an end to any exploitative marketing used by the baby formula milk industry, and more recognition of any economic contribution that breastfeeding makes to society. (S6O-01914)

The Minister for Public Health, Women's Health and Sport (Maree Todd): We welcome the 2023 series on breastfeeding in *The Lancet*, and will consider its recommendations in due course.

The Scottish Government is committed to supporting breastfeeding as the normal nutrition for babies. We have provided more than £7 million of additional funding over the past four years to national health service boards and partners to improve breastfeeding experiences.

Globally, it is recognised that breast milk and breastfeeding provide clear health benefits to both mother and baby over infant milk formula. We believe that every child should get the best nutritional start in life and that families should be able to make fully informed choices on how they feed their baby.

Natalie Don: Part of ensuring that breastfeeding rates increase involves normalising it in our public spaces, which is what the breastfeeding friendly Scotland scheme aims to achieve, as well as providing staff and volunteers with key training and knowledge. After I raised awareness of the scheme and signed up my constituency office in Renfrew, take-up of the scheme in Renfrewshire increased massively, from one venue to more than 60.

How is the Government working with health boards to track national take-up of the scheme? How will it work to improve involvement in areas with low take-up? What steps will it take next to ensure that normalising and increasing support for breastfeeding remains as high a priority as possible?

The Deputy Presiding Officer: Please answer as briefly as possible, minister.

Maree Todd: I thank and commend the member for the work that she has done to promote the breastfeeding friendly Scotland scheme. We continue to encourage our infant feeding advisers to promote that scheme, and more than 2,000 venues have signed up.

We know that protecting, supporting and promoting breastfeeding requires a complex, multilevel approach, and the series in *The Lancet* sets out recommendations on ways in which focused action can have an impact at population level, including through regulation of the marketing of infant formula.

We will continue to prioritise investment in breastfeeding support and embed the UNICEF UK baby friendly initiative across health board settings.

Healthcare Provision (Barra and Vatersay)

8. Alasdair Allan: To ask the Scottish Government whether it will provide an update on NHS Western Isles' recruitment of a new permanent general practitioner and hospital doctor for the islands of Barra and Vatersay. (S6O-01915)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I understand that NHS Western Isles will be going out to recruitment this spring.

As the member will know, NHS Western Isles had to take on the Barra medical practice at short notice and its priority has been a smooth transition and the provision of a level of continuity for patients.

Alasdair Allan: As the cabinet secretary is aware, our health service is under a huge amount of pressure, and the long-term use of locums, as has been the case in Barra for some time, is not ideal. Connected to that matter, can the cabinet secretary confirm when the Scottish Government will take a decision on the healthcare outline business case to allow the proposal for a new home for health and other services in Barra to move to stage 2?

Humza Yousaf: The Barra and Vatersay campus project is important. The outline business case has been reviewed by the national health service capital investment group, which is

considering options at the moment. In the interests of brevity, I will write to the member further on the issue. I will look to see what I can do to speed up the process but, as I know that the member understands, appropriate consideration must be given to the matter.

Deposit Return Scheme

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-07975, in the name of Maurice Golden, on launching a successful deposit return scheme.

14:54

Maurice Golden (North East Scotland) (Con): We all want to see deposit return succeed, and we know that it can. Look at the success that countries such as Latvia, where 93 per cent of the population regularly use a deposit return scheme, have had.

Improving recycling and reducing litter are goals that we all share, especially now that the Scottish Government's recycling efforts have stalled. Its 2013 recycling target has still not been met, which is ironic given that it first committed to deposit return in the same year. Despite having 10 years to prepare, it has left it to the last minute.

I know about that, having spent the past decade working in the waste sector or here in Parliament calling on the Government to plan ahead by doing things such as creating a level playing field for small businesses, developing a reverse vending machine procurement framework, ensuring no council job losses and constructing a plastic recycling plan so that we retain collected materials in our economy. The Government has done none of that, so it finds itself in the middle of an almighty mess of its own creation.

Stephen Kerr (Central Scotland) (Con): Does Maurice Golden read any significance into the fact that the minister who is responsible for this unfolding disaster is sitting very much alone on the front bench? She has no colleagues there to support her; no one is even sitting in the row behind her.

Maurice Golden: That is striking and telling, because it is not only the minister's fault. She has been in post since 2021, but the Scottish Government did next to nothing in the preceding years to launch a deposit return scheme.

The latest gateway review concluded that

"a fully functioning and compliant DRS cannot be in operation for the revised August 2023 schedule".

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): Unfortunately, I must correct the record for the member on that. The latest gateway review—the one that was completed in October last year—stated that it is feasible to deliver DRS by August this year. The member is quoting the gateway review from May last year, which is not the latest review.

Maurice Golden: That is incorrect. I am quoting from the latest published review, which is from December last year. In my view, that is the latest review.

Lorna Slater: Will the member take an intervention?

Maurice Golden: I need to make progress, but I will come back to the minister.

The Scottish Government has already had to postpone and scale back the online take-back policy, but it is determined to rush the scheme through regardless. I recognise that there have been attempts to address problems. We have had confirmation on labelling, and the removal of day 1 charges for retained United Kingdom barcodes and month 1 charges for all products. We have also had measures to reduce the administrative burden and help smaller producers with cash flow.

We all welcome that, but where is the support for small retailers and hospitality? They have up-front costs, such as those for reverse vending machines, and added costs could see hefty price increases on stock orders. They face being out of pocket, with handling fees not covering their costs, despite the recent increase.

Lorna Slater: The retail handling fees that will be offered in Scotland for manual return points are significantly higher than those anywhere else in Europe and are towards the high end of schemes elsewhere in Europe. Our scheme is comparable with and, in fact, more generous than similar schemes in Europe.

Maurice Golden: I guess that we will find out in court, because the Scottish Grocers Federation is taking Circularity Scotland to court over handling fees. That is where we will find out whether the fees are fair.

That is before we get to other challenges, such as container storage and insurance cover. It is incredible that retailers still do not have an operational blueprint, which forces them to take a best guess at how to spend around £250 million to be compliant. Meanwhile, wholesalers are waiting on solutions for stock and bonded warehouses and how the scheme will define an importer. Consumers face higher costs and reduced choice. One brewer estimates that the cost that will be passed on to shoppers could be as much as 40p per container, and the Scottish Wholesale Association warns that as much as 40 per cent of brands could disappear from Scotland.

Let us not forget local authorities. Falkirk Council will stop collecting glass altogether, and other councils are considering reducing collections. We could see job losses, financial hits and poorer recycling services—that is hardly the expected outcome from a scheme that was

designed to benefit our environment and communities.

Lorna Slater: Will the member take an intervention?

Maurice Golden: I need to make progress.

There are still significant outstanding issues for producers. For example, the missing guidance on glass tolerances that will allow them enough time to introduce new accounting and invoicing processes and to address the UK's barcode surcharge that will cost disproportionately more for Scottish producers.

Then there is the producer agreement itself. Producers are being rushed to sign up to a scheme without knowing the full details or costs, and if they do not sign up, they cannot sell their products; it is a lose-lose scenario. When confronted with those problems, the Scottish Government hides behind the pretence that the scheme is industry led.

Mark Ruskell (Mid Scotland and Fife) (Green): Will the member take an intervention?

The Deputy Presiding Officer: The member is in his last minute.

Maurice Golden: Nothing could be further from the truth. This is a Government-run scheme, fronted by a secretive company that was put in place without a competitive or transparent process. The Scottish Government has so far refused to issue a section 5 order to allow freedom of information requests to be made to Circularity Scotland. It is a dereliction of duty that raises questions about procurement practices and dodgy dealings.

I have spoken with dozens of businesses and trade bodies, and they all want deposit return to succeed, but their good will is being eroded by a poorly planned process, and we need practical solutions such as an immediate review to consider how we can launch the scheme successfully. That could be done by extending producer registration until full costs are provided; granting small producers a grace period before joining; taking a phased approach to the introduction of the scheme; reviewing procurement processes so that small waste management companies are allowed to compete for collection contracts; helping retailers by boosting the handling fee; providing TUPE—Transfer of Undertakings (Protection of Employment) Regulations—cover for local authority and waste management staff who face redundancy; taking Circularity Scotland into special measures; and planning ahead with a business case for a digital system to future proof the scheme.

The DRS has been rolled out in a manner that will destroy businesses—particularly small

businesses—jobs and livelihoods. If the Scottish Government is willing, we can rescue deposit return. I urge it to do so before we pass the point of no return.

I move,

That the Parliament believes that a Deposit Return Scheme (DRS) can make a positive contribution to increasing the rate of recycling and reducing litter for drinks containers; recognises that the Scottish Government has been committed to introducing a DRS since 2013; welcomes the widespread support that the scheme's environmental objectives have received from businesses, and recognises their concerns over key operational elements of the scheme; understands that businesses, and waste management experts have called for at least 18 months' notice prior to the scheme launch, and that, with less than six months until the proposed launch, information is still required by stakeholders to both ensure compliance and maximise the operational success of the scheme; notes the findings of the Gateway Review Final Report, which stated that "...a fully functioning and compliant DRS cannot be in operation for the revised August 2023 schedule", and calls for an urgent independent review of the launch date to enable a successful launch as soon as practically possible.

15:02

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): I welcome this opportunity to contribute to the debate. There were so many inaccuracies and so much misinformation in that opening speech that I scarcely know where to start, but I will start at the beginning and, hopefully, systematically correct the record and provide some useful information for members.

In May 2020, three years ago, the Scottish Parliament agreed the Deposit and Return Scheme for Scotland Regulations 2020, which establish the approach and structure of Scotland's DRS. The case for the scheme remains just as strong now as it was then. It will reduce carbon dioxide emissions by 4 million tonnes over 25 years; reduce litter by a third, cutting the £46 million of public money—that is local authority money—that is spent cleaning up litter every year; drive an increase in recycling rates from 50 per cent to 90 per cent of scheme materials; and increase the quality and value of that recycling, which will move us towards a more circular economy. In the context of the current climate emergency, Scotland needs a deposit return scheme now.

In line with the polluter pays principle, and just like similar schemes around the world, Scotland's deposit return scheme is being delivered and funded by industry. It is led by the scheme administrator, Circularity Scotland.

Maurice Golden: I want to be constructive. Circularity Scotland Ltd—CSL—issued a contract for waste management collections to Biffa, which

is owned by an American hedge fund. No small or medium-sized enterprise in Scotland was invited to tender for that procurement. Will the minister consider releasing the details of that procurement and explain to SMEs throughout Scotland why an American hedge fund is more important than them when they face financial ruin as a result of that procurement process?

Lorna Slater: I am surprised to hear that a Conservative member thinks that FOI requests and that kind of scrutiny would be appropriate for private businesses, but I am sure that some of my Green colleagues would be interested if that is a new position that the Conservatives wish to put forward.

CSL is now at an advanced stage—*[Interruption.]*

The Deputy Presiding Officer: I think that we need to hear the person who has the floor, which, in this instance, is the minister. Please resume, minister.

Lorna Slater: Thank you.

CSL is now at an advanced stage of building the infrastructure and logistics network that will underpin the scheme. Sites have been secured across Scotland to handle and process material. Counting equipment and vehicle fleets are arriving.

Daniel Johnson (Edinburgh Southern) (Lab): The minister said at the outset of her remarks that there is a problem with information, yet what we have heard so far from her has been the case for DRS, which is not in dispute, and nothing to give us clarity. Is the inherent problem not with CSL itself? What will she do to tackle that, given that CSL is so central to her policy?

Lorna Slater: CSL—and I will further enlighten the member on the details as we go forward—is at an advanced stage of building the infrastructure. That is happening. Recruitment is under way to create 500 new jobs in Scotland in processing and logistics. That is the work that CSL is doing.

Just as importantly, CSL is working closely with businesses of all sizes to prepare for the launch in August this year and I am in no doubt that those preparations are well under way in the boardrooms, on the bottling lines and in the local supermarkets and small grocers.

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

Lorna Slater: I will take one more and then I must make progress.

Liam Kerr: I am grateful.

Several small producers have publicly said that they are going to go out of business thanks to the

proposed deposit return scheme. Is the minister telling them that they are wrong?

Lorna Slater: I take the concerns of small producers seriously. That is why we had an urgent meeting the Friday before last. This week, Circularity Scotland has announced the launch of a package of measures to address those concerns—£22 million to support cash flow for producers and some practical solutions on labelling, which is what they asked for and we have delivered. I will meet them again tomorrow to see whether there are any further ways in which we can help them. I am afraid that I must make some progress now.

As I have set out, I have been systematically working through industry concerns with the industry, Circularity Scotland and the Scottish Environment Protection Agency to ensure that pragmatic approaches to implementation are in place.

For example, we heard concerns about the interoperability of the scheme with other schemes in the United Kingdom. As a result, CSL has confirmed that there are no Scotland-specific labelling requirements, and producers can retain existing and UK barcodes. We are working closely with other Administrations to maximise interoperability when DRS is finally introduced in other parts of the UK.

We heard concerns that small retailers faced barriers to applying for an exemption from acting as a return point. As a result, we streamlined our exemptions guidance and application process last November—a move that was widely welcomed by businesses. That means that there is already a mechanism in place for many small retailers to be exempt from acting as a return point, if they wish to be, while maintaining a scheme that is accessible to all.

We heard concerns about costs to producers, particularly around cash flow for smaller producers. As a result, CSL has reduced its producer fees by up to 40 per cent and reduced its day 1 payments for producers using UK-wide barcodes by two thirds.

We heard concerns from online retailers and producers about the online take-back obligations. As a result, I confirmed last year that I proposed to phase in online take-back from 2025, while still protecting those unable to get to a physical return point.

We heard concerns on planning needs, domestic rates, local authority collections, VAT on deposits and operational information. We have listed and acted on each and every one of those concerns.

In the past two weeks, I have continued to meet representatives across sectors that are affected by DRS to understand their on-going concerns. For that reason, I greatly welcome Circularity Scotland's announcement yesterday that it would provide a further—

The Deputy Presiding Officer: Minister, I gave a wee bit of latitude to the opening speaker because three interventions were taken. You have also taken three interventions; you will get the same latitude. You have 30 seconds left. Thank you.

Lorna Slater: Thank you.

Circularity Scotland will not only fund cash-flow measures but remove day 1 and month 1 charges for all producers.

To turn to the findings of recent gateway review reports, a gateway review is a short, focused review that is carried out at key points. In the case of this project, there have been four gateway review stages, which is normal for a programme of this importance and complexity. I am concerned to see quotes from the superseded May 2022 report being used in isolation, including in today's motion. It is the October—

The Deputy Presiding Officer: Minister, please conclude now and move your amendment to the motion.

Lorna Slater: It is the October review report that is the most up to date and the most relevant. That report concluded that

“the DRS Programme has gained increased momentum and is in a much-improved position”

and that go-live is now feasible.

The Deputy Presiding Officer: Minister, you need to conclude and move your amendment now, please.

Lorna Slater: I move amendment S6M-07975.2, to leave out from “Scottish Government” to end and insert:

“Deposit and Return Scheme for Scotland Regulations 2020, which establish the approach and structure of Scotland's DRS, were agreed by the Parliament in May 2020; welcomes the recent progress made by Circularity Scotland, SEPA, the Scottish Government and the UK Government in finalising the key operational elements of the scheme; further welcomes the package of measures recently announced by Circularity Scotland to support producers; notes that the most recent review in October 2022 concluded that the DRS Programme has gained increased momentum and is in a much improved position; understands that Scotland's DRS will make an important contribution to cutting climate emissions, and calls on the Scottish Government to continue to take a pragmatic approach to implementation, working with industry to identify and address concerns.”

15:10

Colin Smyth (South Scotland) (Lab): Labour supports the introduction of a viable deposit return scheme—a view that is shared by the overwhelming number of producers, suppliers and retailers that, ultimately, will have to implement any proposals. An effective scheme would reduce our waste and our carbon emissions at a time when Scotland is failing to meet its climate commitments and is falling behind on recycling.

As a producer responsibility scheme, it will ensure that producers pay for the clean-up of their products. We know that successful schemes are already up and running in 50 countries and territories across the world and that those schemes are likely to cover three quarters of a billion people by 2026. There is no question but that a successful deposit return scheme would make a positive contribution in our journey to net zero.

Mark Ruskell: I am surprised, given that Labour accepts the huge environmental benefits of a deposit return scheme, that members of the party signed a letter during recess claiming that there will not be any environmental benefits from the scheme. Which one is it: are there environmental benefits, from Labour's perspective, or not?

Colin Smyth: Our support for such a scheme cannot and will not blind us to the genuine concerns about the Government's proposals as they currently stand, which Mark Ruskell does not seem to be interested in. It will not stop us from seeking to improve those proposals. Perhaps Mark Ruskell can think about and listen to some of our proposals.

We welcome recent changes by the Government in relation to online take-back, exemptions, reduced producer fees—although those still remain higher than for other European schemes—and the announcement from Circularity Scotland, coincidentally on the eve of the debate, of some funding to partly address the cash-flow concerns of businesses. Those changes are a step forward, but we do not just need the minister to meet producers tomorrow, as she said that she will do; we need her to listen to their concerns and take more action. There remain a number of issues with the scheme as it is currently proposed that need to be addressed.

Let us be clear: those concerns are not just about big business lobbying. They are primarily the concerns of small businesses, in my region and others, that are simply trying to survive. That includes the small gin distillery in Galloway that I recently visited. It has one stock keeping unit with one bottle design, but it will now need to order twice as many bottles with every order because of minimum order levels, although it has simply

nowhere to store them. In the same way, the local shop that I spoke to at the weekend has nowhere to store glass bottle returns.

The small cider brewer that I visited in Dumfriesshire is close to the border and he made the valid point that consumers will have less choice, as his fellow brewers only a few miles away on the other side of the border will stop trading in Scotland. Christine Grahame highlighted the case of the brewery in the Borders that told her that the 20p deposit is, in effect, a 20p price rise for its customers, as many of them are visitors who come from just a few miles away in England and will not be returning that product.

If we want to talk about the role of big business, when I raised with the minister concerns about the decision to issue a Scotland-wide tenure to Biffa, which is owned by an American hedge fund, she dismissed the concerns of the Scottish small and medium-sized businesses that were excluded from being able to take part in the contract, many of which already provide collection services. Those businesses were not even consulted on that approach. That is not a just transition.

Maurice Golden: Does the member share my concerns about the tender process? When the original tender was issued, it was for 2 billion containers per year. However, one week later, Circularity Scotland changed that to 3 billion containers a year, which led many waste management companies to tell me that that was a "reputational risk" and that they would not apply for the bid. Circularity Scotland and the Scottish Government also excluded SMEs from bidding for the process.

The Deputy Presiding Officer: I will give Mr Smyth a maximum of an extra 40 seconds.

Colin Smyth: I share those concerns, including that small and medium-sized businesses were not able to participate in the tender process and that many will cease to be in business as a result.

We want to work with the Government to make the changes that are needed so that the scheme that is delivered is successful and supports small businesses, because that would be a genuine jobs-first just transition. That is why Labour's amendment asks the Government to, at the very least, consider further changes ahead of the introduction of the scheme, including a grace period of 18 months for small producers, during which their products would be treated as non-scheme articles.

We have failed to give those small businesses the information that they needed for a fair lead-in time, and they should not be punished for the incompetence of Circularity Scotland and others. We should consider an opt-in rather than an opt-

out option for small retailers, and exemptions for low-volume producers.

I appreciate that I am running out of time, so I will make a final point. Many other concerns have been raised, including the decision to include glass without the inclusion of a smelt target, which raises fears that much of the glass collected could end up in road aggregate and not be recycled, and the failure to provide a full operational blueprint to businesses at least six months in advance of the launch of the scheme.

Labour's amendment proposes common-sense changes that would address some of those concerns and allow a scheme to go ahead but be phased in to minimise the impact for small businesses. That is crucial. If the Government is serious about a genuine just transition—a jobs-first just transition—I hope that it will support that and work with us to make the scheme work.

I move amendment S6M-07975.1, to insert at end:

“; acknowledges that an effective modern deposit return scheme reduces carbon emissions and waste; welcomes the changes that have been made to the proposals since the regulations were first made; recognises that concerns from some businesses, in particular small producers and retailers, remain over operational elements of the scheme, and urges the Scottish Government to consider further changes ahead of any introduction, including a grace period for small producers, exemptions for low volume producers, and an opt-in for small retailers to ensure delivery of a viable Deposit Return Scheme that helps meet Scotland's net zero ambitions.”

15:15

Liam McArthur (Orkney Islands) (LD): I thank Maurice Golden for allowing Parliament to have this debate, and I congratulate him on flushing out a return of around £22 million from Circularity Scotland, aimed at addressing at least some of the serious concerns that have been raised over many months by smaller producers around Scotland, including in my Orkney constituency.

With regard to the cost and cash-flow pressures that are faced by small brewers, distillers and so on, that additional support is undoubtedly welcome. Sadly, and more important, as one industry representative put it to me yesterday,

“it doesn't address the complexities of the scheme nor does it provide sufficient clarity to help businesses to prepare in time for the scheme going live in less than six months.”

Therein lies both the problem and the case for an independent review.

I applaud the efforts of Colin Smyth in his amendment to set out further improvements that could make a difference in addressing those remaining concerns. Those improvements are sensible and should be taken on board. However,

there is now a very real risk that the minister and CSL will stumble on, week after week, amending, exempting and whittling away at their scheme. Why not pause, gather the evidence about what needs to be done and provide the clarity that is needed to make the scheme one of which Scotland can rightly be proud?

Right now, the Government and the minister seem determined to press on whatever the cost to business, whatever the confusion for consumers and whatever the damage to support for the DRS itself. I understand absolutely the imperative to reduce waste, emissions and litter, and I recognise the urgency, too. However, we need to get this right and we are nowhere close to that position right now.

Mark Ruskell: Will the member give way?

Liam McArthur: I will not.

Previously, I have made the point that the Scottish Liberal Democrats were the first party to have a manifesto commitment to introduce a DRS, but the truth is that it has long been an issue that has commanded strong cross-party support, as evidenced by the debate so far.

Like other party spokespeople, in the previous parliamentary session, I regularly met the then environment secretary, Roseanna Cunningham, to discuss the details of the Government's scheme. At that time, like others, I expressed concern about the inclusion of, for example, glass, reflecting what I had seen at first hand in Norway, where the scheme has been operating successfully for years.

Despite promises to learn from such international examples, the Government sought instead to go further and faster than the rest of the UK as an end in itself. That is perhaps justifiable in some policy areas, but, in the case of DRS, it actually sowed the seeds of many of the problems that we are seeing now.

For months, I have been working with local stakeholders in Orkney, trying to get answers to the questions that they have about how the scheme will work in practice, particularly in a more challenging island setting. I am very grateful to Circularity Scotland and to Zero Waste Scotland for their engagement in various round tables and for the time committed to follow-up meetings. However, the fact is that too many questions remain unanswered, too much uncertainty hangs over the operation of the scheme and there is too much at stake if the Government gets it wrong.

I urge the Government to pause, commission an urgent independent review and pave the way to making DRS a success here in Scotland, as we have seen it be in countries around the world.

I support the motion and the amendment in the name of Colin Smyth.

The Deputy Presiding Officer: We move to the open debate. I advise members that we have no time in hand and that any interventions must be absorbed in the member's time.

15:19

Brian Whittle (South Scotland) (Con): I appreciate the opportunity to contribute to the debate, albeit that I lament the need for the Scottish Conservatives to use their time to highlight the increasing disquiet that the industry is feeling around the proposed introduction of the Scottish Government's deposit return scheme, much of which has been ably highlighted by my colleague Maurice Golden.

Let us be clear, Deputy Presiding Officer, that this policy is essential to our net zero target, and that its premise is universally accepted in this Parliament and the UK Parliament, across industry and by the public. However, the minister claims that this is an industry-led scheme. Really? Maurice Golden and I have spoken with literally hundreds of producers and suppliers over the months and we have yet to meet one that is leading the scheme. The consistent message is that we have a Scottish Government minister who will not listen or engage and who is blind to the serious concerns that are being raised across the whole industry.

Many producers and retailers have significant issue with the way in which the scheme is being introduced, as it will have a specific effect on their viability. For example, I visited a fairly small but successful distillery that produces 5,000 bottles of whisky a year. Those are mainly for export, but it must carry a stock of 2 million bottles, because that is the minimum cost-effective run that a bottle producer will deliver. As a result, the distillery carries a four-year bottle supply. It has put aside £60,000 to pay the fines that it will need for using old stock, as doing so will cost less than ordering new stock once the scheme goes live. That is not an isolated case, and I note the case that Jamie Greene raised during portfolio questions earlier.

It is incredible that the minister in charge of delivering the scheme answers so many direct questions with the response: "I don't know the answer to that". For example, I asked the minister about Circularity Scotland's obligations to the banks on paying back its loans for the scheme and the potential impact of that on the timetable for its implementation. She said that she did not know and that she felt that she did not need to know.

I looked up Circularity Scotland on the Companies House website and saw that the Bank of Scotland has a floating charge over the property

or undertaking of that company. That matters, and it might go some way towards explaining why the Scottish Government is committed—or potentially forced, come hell or high water—to an August launch, irrespective of the impact on producers, retailers and hospitality owners.

Daniel Johnson: In some ways, it is understandable that the minister might not know the answers, as the lack of information is a problem of Circularity Scotland's. Does the member agree that the minister needs to get a grip of that organisation and get it to do its job properly?

Brian Whittle: Absolutely, because there is a risk in the arrangement for those businesses that are investing in Circularity Scotland. Should Circularity Scotland fail, the suppliers and the investors would lose their money. Given the level of support for a deposit return scheme across the chamber and within industry, this legislation should have been a cakewalk for the Scottish Government. All that it had to do was to look at how similar schemes have been successfully implemented, talk with the industry, listen to its concerns, keep it close and ensure that it is part of the solution.

However, that has not been the case and the calamitous result is what happens when those in the Scottish Government who are charged with delivering the scheme have no business acumen whatsoever. It is not too late to pause and then deliver a more cohesive and effective scheme. I urge the Scottish Government and the minister to heed industry's concerns and have a rethink. Not to do so would have a devastating impact on the economic viability of many businesses and ensure that, in the end, it will be consumers who pay.

15:23

Fiona Hyslop (Linlithgow) (SNP): The deposit return scheme is an important policy in Scotland's drive to reduce carbon emissions, and the Scottish Government's plans are ambitious, bold and necessary. There has been a shift from outright opposition to the DRS by some to acknowledgement and acceptance. However, I am concerned about how we have a successful launch and roll-out. I appeal to the minister on the need for her to be practical and pragmatic. Smaller businesses are facing unprecedented cost pressures from all directions, and we must be sensitive to that.

Some say that the scheme has been rushed, but I remind members that, in May 2019, Roseanna Cunningham, the then Cabinet Secretary for the Environment, Climate Change and Land Reform, made the statement in the Scottish Parliament that a deposit return scheme

would be introduced in Scotland. It is worth repeating that a scheme, once it is introduced, will reduce littering by a third, increase recycling rates of single-use drinks containers from the current rate of around 50 per cent to 90 per cent and see a reduction of 4 million tonnes of carbon emissions over 25 years.

Craig Hoy (South Scotland) (Con): The member makes reference to littering. On the basis that few pubs are a source of litter in the environment, is that not a reason to remove them from the scheme entirely? The people at the pubs that I go to do not tend to leave with bottles or cans.

Fiona Hyslop: I think that, if the member had read the letter that Lorna Slater wrote to all MSPs, he would have seen it set out that pubs that use containers only within their premises would not be part of the scheme. I suggest that he reads the letter that was sent to us all by the minister.

Deposit return schemes have proven to be extremely successful around the world, by raising recycling rates, reducing litter and saving carbon emissions. According to Zero Waste Scotland research, more than 70 per cent of the Scottish public supports the introduction of a DRS. Slovakia introduced its own deposit return scheme in 2022. Officials there say that they are already seeing an uptick of more than 10 per cent in recycling after introducing a scheme such as the one that is proposed by the Scottish Government.

Larger companies will have had the capacity to trial a deposit return scheme in a number of their stores. Last September, I was pleased to visit Aldi in Bathgate in my constituency, which had already trialled acceptance of bottles and cans in exchange for vouchers for the business. I understand that Aldi has used feedback from customers who have used the scheme to inform its plans as it prepares for the nationwide roll-out.

Experience and learning must be shared with smaller businesses in order to ensure a timely, successful launch of a Scotland-wide scheme. With just six months to go, however, it is the smaller businesses—both retailers and drinks producers—that have genuine concerns, such as the issue that Colin Smyth raised about storage, and they need to be addressed.

The reduction in producer fees of up to 40 per cent and the two-thirds reduction in day 1 payments for producers are welcome, but small businesses—particularly retail businesses—might require on-going support. The announcement by the scheme administrator, Circularity Scotland, of a £22-million fund to support small businesses with the costs of participating in the scheme will make a big difference.

Businesses need to have clarity on how VAT will be applied to deposits. The UK Government needs to respond to resolve that issue, to minimise risk to the Scottish scheme, which it was requested to do some time ago in relation to cross-border sales.

Lorna Slater: Will the member take an intervention?

Fiona Hyslop: Very briefly.

The Deputy Presiding Officer: Well, no, actually, in that you have 24 seconds left.

Lorna Slater: [*Inaudible*].

Fiona Hyslop: Perhaps the minister can put it in her summing up.

The further resolutions that have been set out in the minister's letter to MSPs have addressed many of the points that Maurice Golden and others have raised.

I would encourage the Government, in its understandable drive to deliver, to continue to be prepared, with the support of the Parliament, to have the space to be pragmatic and flexible so that it can meet the needs of smaller producers and retailers and deliver a welcome and needed deposit return scheme for Scotland.

15:27

Claire Baker (Mid Scotland and Fife) (Lab): A successful deposit return scheme should be an important part of Scotland's drive to reduce carbon emissions and deliver the shift to net zero. International examples demonstrate what can be achieved. However, with only six months to go till the proposed launch, it is clear that we are still some way from a workable scheme.

I recently joined with cross-party MSPs to write to the First Minister about the scheme, highlighting the review team findings that the scheme could not be made to work by August and pointing to the concerns that we are hearing from businesses.

Lorna Slater: Will the member take an intervention?

Claire Baker: If it is regarding the report on the review, we quoted the one that was in the public domain, which is what the MSPs had to work on. I am very short of time, so I will continue.

Lorna Slater: [*Inaudible*].

The Deputy Presiding Officer: Minister, I do not think that the member has taken your intervention. Ms Baker, are you taking an intervention?

Claire Baker: No. I think that the minister was about to explain to me about the review team. The report that we used was in the public domain, and

I think that it is reasonable that that is what the letter was based on.

It is not enough to insist that the scheme will be a success by force of will; a lot of work is required to make it so. It is not clear at this stage how the scheme will work in practice for small producers, suppliers, retailers, hospitality and consumers.

The scheme was first proposed by the Scottish Government in 2019. It was planned to come into force last July, but it was pushed back by more than a year, following feedback from industry. Although there have been some tweaks since—for example, on online takeback, reduced producer fees and exemptions—they do not go far enough to provide confidence to producers and suppliers.

I can see where effort is being made to simplify the system, and I note the removal of the registration fee for smaller producers. However, the Scottish Government must recognise that, for many producers, particularly as they face increased energy costs and a cost of doing business crisis, the costs of the scheme will still be prohibitive. Those concerns have been raised by the Society of Independent Brewers.

What will be the impact on small craft breweries who produce for outlets across the UK? Will they continue to sell in Scotland, or will the costs make them less likely to do so? Will smaller, boutique off-licences still be able to secure the same range of products? Those producers also face the additional costs of either changing labelling and barcoding for the Scottish market or being charged an extra payment over those that introduce new barcodes. Can the minister advise whether the stickering solution that is being developed for small producers will be cost free and whether it is only available for Scottish producers?

There are questions for smaller retailers to do with the administration of return points and handling costs. Although I welcome the fact that some retailers can apply for exemption on the basis of proximity or environmental health, more information is needed on how those with premises that do not meet those requirements but where space is limited can meet their obligations as necessary. Small producers, retailers and hospitality businesses are desperate for clarity and feel passed between the Government and Circularity Scotland.

Ministers need to show leadership by ensuring that Circularity Scotland addresses shortcomings, but the Government needs to accept responsibility for the lack of information and guidance. It is important to remember the context of the policy—it lies within not just the wider climate change agenda but the cost of living crisis, and we must be aware that any increase in costs for consumers at this point will be keenly felt by many. I realise

that, under the model, the additional costs will be returned but, for too many families and individuals, any additional outlay in a week can push them into further difficulty.

Households need to know how the scheme will work when it comes to storing and organising to return containers, alongside existing collections and arrangements for waste and recycling. I also have concerns about how the scheme will work for everyone, including those whose lives are unpredictable, people who move addresses or those who have other reasons for being less likely to participate.

There are also questions about how the scheme will work for hospitality businesses, and particularly those that sell drinks for consumption on the premises and elsewhere. I do not feel that the minister's letter to members addressed those issues.

It is clear that the current proposals need to be improved so that we can be confident of a smooth introduction that will deliver the scheme's aims as a key part of the circular economy in Scotland.

15:31

Annie Wells (Glasgow) (Con): In principle, my party supports the idea of a deposit return scheme. If it was run efficiently, we would support it. International evidence shows that a scheme can work. Many countries already have an effective system in place, and the United Kingdom Government is bringing in a DRS across England, Wales and Northern Ireland.

Mark Ruskell: Will the member take an intervention?

Annie Wells: I will take a very brief one. I have a lot to get through.

Mark Ruskell: I just want to understand at what point the Tory Party dropped its commitment to include glass in the DRS. Was it before or after the member's party accepted a donation from the Wine and Spirit Trade Association?

Annie Wells: We are talking about something completely different that affects businesses in Scotland, right now—I will come on to that in a second.

A well-thought-out deposit return scheme can help to improve rates of recycling—[*Interruption.*]

The Deputy Presiding Officer: Ms Wells, could you please resume your seat for a second? I remind members that we should listen to the member who has the floor, which in this case is Annie Wells, and that I am not responsible for the content of members' comments. Please resume, Ms Wells. [*Interruption.*]

Annie Wells: Sorry?

The Deputy Presiding Officer: We need to listen to Ms Wells, please.

Annie Wells: A scheme can decrease the amount of litter in our streets, it can help to protect our natural environment and it should be easy to introduce a scheme in which people purchase a drink container and a deposit is returned when the product is recycled. Therefore, we would have been happy to endorse the scheme, but we cannot do so, because the SNP-Green scheme is headed for disaster, and there have been so many times in the past that the SNP-Green Government has taken something positive and turned it into a negative.

The current proposals for a deposit return scheme are very controversial. Businesses say that they are unworkable and that the likely impact of the scheme's introduction, if the SNP and Greens push ahead, will be the loss of jobs and a severe hit to economic growth.

If members do not want to listen to us, they should listen to what small businesses are saying about the scheme. As reported recently in the press, one Glasgow-based brewer, Simple Things Fermentations, said:

"We're far from assured and in fact feel pretty confident that the scheme will be a disaster."

The brewer added that the scheme will

"result in small shops closing and a massive reduction in choice for Scottish people after August."

That warning is from a brewer, but shops are issuing similar messages of caution. Glasgow's Wee Beer Shop has said:

"Retailers need to purchase and install expensive equipment to process returns—something my business has no physical space to host—I literally have a wee shop. I also have concerns about the ability of small shops to manually process and store returns ... It will be far too costly for us to arrange the pick-up of empty containers."

I spoke recently to a director of a small craft brewery in Glasgow who has now decided that he can no longer run his business due to the introduction of the scheme. It is not just businesses in Glasgow that will be affected; other businesses further afield have issued clear warnings about the scheme. Chris Jones, the co-founder of the international drinks company Paragon Brands, has said:

"there is a huge number of smaller producers who have simply taken the option to stop selling in Scotland. The complications and the cost and the complexity involved in setting yourself up for this scheme just mean that the commercial returns are not there."

What has gone wrong here? Why are so many small businesses and local shops worried about the impact of the deposit return scheme? Why are

they fearful of the damage that the scheme could cause, when it is something that everyone could support if it was run effectively? The problem is that the SNP-Green Government is rank rotten at communicating and engaging with the business community. The scheme should have been designed for small businesses; they should have been the key people round the table.

I know that I have gone past my time, Deputy Presiding Officer, so I will finish now. The funding that was announced yesterday came at the 11th hour. Finally, there was recognition of the huge costs that the scheme will place on businesses, but throwing money at the problem is not the same as improving the scheme. This is a shambles of a scheme, and I urge MSPs of all parties to vote against its introduction at this time.

15:36

Kaukab Stewart (Glasgow Kelvin) (SNP): Scotland is introducing a deposit return scheme that, by definition, applies the polluter-pays principle, which means that people are economically incentivised to recycle rather than to waste. When someone buys a drink in a single-use container, they will pay a 20p deposit, which they will get back when they return their empty bottle or can. I remember doing that in the past with my wee ginger bottles.

The scheme will help to tackle climate change, increase the quantity and quality of materials that are collected for recycling and decrease the amount of litter. In Europe, 10 countries—including Croatia, the Netherlands, Denmark, Germany, Iceland, Norway and Sweden—have already implemented deposit return schemes, with significant positive results.

My Glasgow Kelvin constituency has the second-highest number of businesses in any constituency in Scotland, so I understand and have listened to the concerns, including those from many small shops and hospitality venues. I note that hospitality businesses that sell drinks only for consumption on the premises do not need to charge a deposit to consumers or operate as a return point.

Brexit, the pandemic and, now, the cost of living crisis have combined to make life very difficult for such businesses. I am assured that the Scottish Government recognises that and provides significant support. That includes the unique non-domestic rates package, which will continue to result in many SMEs paying no rates in the coming year and will mean that rates will be frozen for those who pay them.

It is essential that businesses can participate in the deposit return scheme with confidence. Under the scheme, retailers will be paid the highest

return handling fees among comparable schemes anywhere in the world. The scheme will also deliver a cleaner environment for their customers, support their vital contribution to Glasgow's 2030 net zero commitments and meet their customers' aspirations for more sustainable lifestyles.

I welcome the news that Circularity Scotland has announced £22 million of funding to support measures that respond significantly to the concerns of industry. The measures include the removal of day 1 and month 1 charges for all producers, the provision of two-month credit terms, and changes that simplify and reduce the costs of branding requirements.

We must resolve any outstanding issues urgently, because we cannot afford further delay. The scheme was initially due to be introduced in April 2021, and it is estimated that the delay has so far resulted in more than 2 billion empty drinks containers that would otherwise have been recycled being discarded as litter, sent to landfill or incinerated. That represents 380,000 tonnes of entirely avoidable carbon emissions over that period.

When Scotland introduced its world-leading legislation on minimum pricing of alcohol, some big producers in the drinks industry invoked a lengthy delay, despite the cross-party support for that policy in the interest of public health. Ten years on, a report by Public Health Scotland confirms that minimum unit pricing had no economic impact on the alcoholic drinks industry in Scotland.

I trust that the Scottish Government will continue to listen and respond to the concerns from retail and industry. We must move forward with the deposit return scheme with the urgency that the climate emergency demands.

15:40

Mark Ruskell (Mid Scotland and Fife) (Green): Well, well, well—first, the Tories backed a delay to Scotland's deposit return scheme; then they wanted it sped up; now, they are calling for it to be stopped. What a reckless anti-business message that sends out to the hundreds of businesses that have quietly invested millions of pounds in the scheme. Reverse vending machines are being ordered; product packaging is being reconfigured; staff training programmes are being rolled out; and new jobs are being created.

The Tory flip-flopping and scaremongering on the DRS does not stop here. In the February recess, the dream team of Fergus Ewing and Maurice Golden hatched a letter that claimed that the DRS would actually be bad for the environment. How will the scheme be bad for the environment when it has been shown that it will

reduce carbon emissions by 4 million tonnes over 25 years and will reduce litter by a third, Mr Golden?

Maurice Golden: I will explain that simply. If a hospitality business has four waste streams, three trucks will pick that up. When the DRS comes in, the business will have six waste streams, which will mean five trucks. That is an increase in its carbon footprint.

Mark Ruskell: If Mr Golden was that interested in the DRS, he would have turned up to the committee sessions in 2019 when we took extensive evidence on all the issues. He would have experienced great delight in looking at all the evidence, which showed that there would be substantial reductions in carbon emissions. Look at the facts, Mr Golden.

So much can change in a week in politics. Today, the Tories have flipped again and now claim that the DRS will actually be good for the environment, but just not yet—not with this scheme; now is not the time. We have heard it all before.

We are told to wait for the UK Government to decide on an English scheme, which will not even include glass, despite glass having the biggest carbon impact and causing injuries to people, pets and wildlife as litter. The English scheme has been kicked down the road to October 2025 at the earliest. The Department for Environment, Food and Rural Affairs has now publicly undermined that launch date, which in effect hands big business the veto on any further progress.

Right now, it is the big business polluters that are not paying. The Scottish DRS ensures that they, instead of consumers, will pay. At the moment, consumers have to pay twice—once at the shop for the drink and again through tax to pay for councils to collect bottles and cans, while the cost of littering, again, falls on the taxpayer.

The DRS will cut costs for councils. All councils will benefit from reduced collection costs. I recently visited a plastic film recycling enterprise in Fife, which, if scaled up, could take most of Scotland's film. However, councils' kerbside collections are full to the brim with plastic bottles and cans, many of which cannot be easily recycled back to food-grade material.

Finlay Carson (Galloway and West Dumfries) (Con): Will the member take an intervention?

Mark Ruskell: I am running short on time.

The DRS will create space in our bins for councils to innovate and expand the range and volume of materials that are recycled, which will increase recycling rates.

Any scheme that is as ambitious as Scotland's DRS will have issues that need to be ironed out at the beginning. The concerns of small independent retailers and producers are being addressed. Yesterday's announcement by Circularity Scotland has addressed the cash-flow issues and provided a simple labelling solution for producers of fewer than 25,000 units a year. Registration fees are being waived for some, producer fees are being reduced and handling fees are being increased for retailers. I am sure that other tweaks will come, such as online take-back requirements and exemptions from glass returns for some businesses.

It is time to reject the Tories' scaremongering and join dozens of countries around the world that are helping to save their environment through deposit return schemes. I am proud that it will be Greens in government who deliver Scotland's first DRS.

The Deputy Presiding Officer: I call James Dornan, who joins us remotely.

15:44

James Dornan (Glasgow Cathcart) (SNP): Thank you, Deputy Presiding Officer—I hope that you can see and hear me. I am delighted to take part in the debate, which brings back many happy memories of sweets that were eaten thanks to that age-old entrepreneurial activity of returning the empties.

I welcome the widespread support across the chamber for the deposit return scheme and I agree with the thrust of the Conservatives' motion that

"Parliament believes that a ... Scheme ... can make a positive contribution to increasing the rate of recycling and reducing litter for drinks containers".

We have heard that the evidence for that is overwhelming, and it is worth reiterating. A scheme that can reduce littering by a third, increase recycling rates of single-use drinks containers by up to 90 per cent and cut CO₂ emissions by 4 million tonnes over 25 years is certainly worth welcoming.

Deposit return schemes are being used in more than 45 countries around the globe, and it is estimated that, by 2026, 750 million people will be using one. The environmental benefits are well stated, but it is vital to acknowledge the role that the DRS will play as part of our wider efforts to create a circular economy, which will create a more sustainable future and much-needed green employment.

Recently, Circularity Scotland announced a £7.7 million investment to transform an old engineering depot in Portlethen into a state-of-the-art recycling

centre. We can see such investments and jobs replicated across Scotland with the introduction of the DRS as we transition to a circular, green economy.

When local authorities are facing budgetary pressures, the scheme and the investment that it will bring could not come at a better time. There will be an overall net gain for most local authorities, with less waste to handle, and reduced litter and associated clean-up costs. Councils are estimated to have spent £18.2 million on higher levels of street cleaning; they have spent cash on picking up litter and emptying bins that could have gone to other public services. The DRS will deliver much-needed benefits.

We have already seen the announcement of the £70 million recycling improvement fund, which will lend support to the aims of the DRS by supporting councils to modernise recycling services, align with the scheme and make it easier for households to recycle and increase local recycling rates. When I asked the minister about that recently, she said that the money that Glasgow City Council was to receive through the fund would support its investment in a new material recovery facility. She said that the DRS and other initiatives will form part of the Scottish Government's waste route map, a final version of which will be published soon alongside its circular economy bill. I welcome that and I wonder whether the minister would like to use today's debate as an opportunity to update the chamber on progress towards publication.

Given the climate emergency that we face and the opportunities that transitioning to a green economy can afford us, the DRS and other initiatives are now essential. For those reasons, although I said that I could support the thrust of the motion, I cannot support delay.

I echo Kat Jones, the director of the Association for the Protection of Rural Scotland, who said:

"We are in the middle of a climate crisis, with litter plaguing our towns and countryside—the price of any further delay or weakening of the system would be frankly unbearable."

Finally, I ask members to consider all the young entrepreneurs who are champing at the bit for the scheme to come into force.

The Deputy Presiding Officer: Thank you, Mr Dornan. We now move to closing speeches. I call Daniel Johnson to wind up for Scottish Labour. You have up to four minutes, please.

15:48

Daniel Johnson (Edinburgh Southern) (Lab): Thank you very much, Deputy Presiding Officer.

Fundamentally, we are here to debate not scrapping or getting rid of the scheme but how we will make it work. That is what is fundamentally important. Ultimately, what we are trying to do is ensure that we have a genuinely circular supply chain for food and drink and that we do not have a supply chain that relies on containers that ultimately linearly end up in waste but instead end up being reused or recycled, although ultimately, we need a system that requires reuse.

However, the reality is that we are heading for a mess and we need urgent action to simplify and clarify the scheme because, otherwise, the impact on business will be intolerable. Quite frankly—

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Will the member give way?

Daniel Johnson: I will in a moment.

We are six months away from the scheme coming into force, and no business can tolerate uncertainty about how it will manage its goods and products in less than six months' time. No business can cope with not knowing what it should be investing in six months' time. Perhaps very big businesses can, but the smallest ones cannot, and that is why we need urgent action.

Mark Ruskell: Will the member take an intervention?

Daniel Johnson: I think that Christine Grahame was first.

Christine Grahame: On uncertainty for businesses, I raised my concerns about craft brewers at Traquair earlier.

Dryden Aqua, which is an existing successful glass recycling company in my constituency, recycles glass into eco-friendly water filtration systems. According to Circularity Scotland's rules, its business is not a recycling business. Nobody has mentioned existing recycling businesses yet. Does Daniel Johnson agree that that is yet another example of a reason why the scheme must be paused, particularly with regard to glass?

Daniel Johnson: Christine Grahame has raised another excellent example of why we have real confusion, six months out from launch. I do not want to see the scheme paused but, unless there is urgent action, it is headed for disaster. There is a lot of confusion.

I have a lot of sympathy for the minister. I think that she has tried to do a great deal in a short space of time but, ultimately, there is confusion right now. Although she spent most of her time trying to explain the justification for the system, that is not where we are. People need to know how it will work.

I say gently to Kaukab Stewart and James Dornan that people reminiscing about return schemes is, frankly, very unhelpful, as what they did is not what the scheme will do.

We need a just transition, but the only way in which we will deliver one is through having a scheme that is robust and understood by those who need to operate it. That is why Fiona Hyslop was absolutely right to say that we need clarity for small businesses. As Claire Baker and Annie Wells pointed out, they have idiosyncrasies around what they supply, whether they are boutique retailers supplying niche products that they import or small businesses that will not be able to afford or physically install the DRS.

As a retailer, I would not want to be handling broken glass on my premises, but we do not really have an answer. We do not have a practical blueprint for small retailers. Those are the sorts of things that may well be coming, and for which I would be grateful, but, for whatever reason, small businesses do not have those details now, when they need them.

Liam McArthur was also right. The additional £22 million is very welcome, but the problem is the complexity. Although that might be an up-front cushion, many businesses are saying that the time that it will take for the moneys to come back to them is simply too long. If the money takes longer to come back to them than their terms with their customers and suppliers, they will be permanently out of pocket. No small business can afford that sort of impact to their cash flow.

I am very grateful and pleased that Lorna Slater is having meetings, but she needs to get to grips with the matter. Although many of the issues are, ultimately, the issues and responsibilities of Circularity Scotland, it is her policy, and she needs to get to grips with them. As Brian Whittle pointed out, it is the roadblock because it is in a monopoly position and it is impeding the successful implementation of her policy.

The Deputy Presiding Officer: I call Lorna Slater to wind up on behalf of the Scottish Government.

15:52

Lorna Slater: Thank you very much, Deputy Presiding Officer.

I point out to Daniel Johnson that, just because he does not fully understand the details of the scheme, that does not mean that I do not or that industry does not. [*Interruption.*] The answers to many of those questions are well known and well understood. [*Interruption.*] Before I—

The Deputy Presiding Officer: Minister, please resume your seat for a second.

I ask members to please listen to the member who has the floor—in this case, it is the minister—or to seek to make an intervention, but not to continue with sedentary argy-bargy.

Lorna Slater: Before I deliver my concluding remarks, I will approach some of the technical questions that members have raised in order to help them to understand the scheme better.

We have gone into great detail about the support for small producers, so I will not cover that again.

Some misinformation about support for return points has been communicated in the chamber. Return point operators are not required to invest in reverse vending machine technology. That is not true. Return point operators have three options on the table before them. Option one is a reverse vending machine, if that fits their business model and premises. Option two is to become a manual return point. We have the highest fees for manual return points anywhere in Europe—and, I believe, in the world. Option three is to opt out of becoming a return point through our streamline exclusion process, which an operator may do if it lacks storage space—some members have addressed that—or has health and safety concerns around glass, for instance.

I will go into more detail on the questions about hospitality that a member to my left raised. Hospitality businesses that sell drinks only for consumption on the premises do not need to charge a deposit to consumers or operate as a return point. That is known as a closed-loop system. Circularity Scotland will collect scheme packaging from them free of charge and then refund the deposits that the business has paid to the supplier or its producer. That is how a closed point exemption will work.

Maurice Golden: Will the minister offer a guarantee that, where Biffa collects from those hospitality businesses, Biffa will not offer to collect the other materials that SME waste management companies are already contracted to collect?

Lorna Slater: Obviously, deals between any sort of supplier and any business are for them to work out among themselves. It is for businesses to decide what is best for them—that is not at all a matter for me to interfere with.

I will round up my points on support for businesses and how the scheme will work. Any businesses that are looking for more information on the measures in question or how they can register for the scheme should contact Circularity Scotland's customer support team at www.circularityscotland.com or on 0141 401 0899 to get the information that they need for their businesses.

Daniel Johnson: I am grateful to the minister for giving way, because it is clear that I misunderstand a great deal. Does she not recognise that, ultimately, the fundamental point is that, regardless of whether the information is correct or otherwise, businesses do not have that information? Is not the fundamental problem the fact that Circularity Scotland has not been getting the information to those businesses that need it?

Lorna Slater: Circularity Scotland and I have been engaging with businesses and trade bodies to get the information out as quickly as we can. I encourage businesses that still have questions to get in touch with Circularity Scotland and SEPA to move the process forward.

Scotland's deposit return scheme will launch on 16 August this year. I thank all those businesses that have made the investments, purchased reverse vending machines, sought planning permission and made the necessary process changes to get ready for the scheme.

Liam Kerr: Will the minister give way?

Lorna Slater: I am sorry, but I need to get through my remarks.

The costs to those businesses of any delay or pause would be significant. Those businesses that have done the right thing and got themselves ready will absolutely benefit from that. When the scheme is launched on 16 August, the 20ps will start flowing through the system.

With regard to Colin Smyth's Labour amendment, I welcome the continued support for the DRS and the constructive approach that the amendment shows. Today, I have made it clear, as I have always done, that I and the Scottish Government absolutely recognise the concerns of some businesses—small businesses, in particular—and are working hard to address them. However, it is important to note that, in the case of small retailers, there is no need for an opt-in, as we have already introduced a simple exemptions process for small retailers. I regularly meet the Scottish Grocers Federation. Its concern is that small businesses might be left out. *[Interruption.]* They can opt out if they want to through our exemptions process.

The Scottish Grocers Federation wants its businesses to be involved because of the benefits of increased footfall in being a return point. That is the benefit that it sees for its businesses, which it thinks will help them to succeed and grow.

The changes that have been announced this week have been welcomed by Scottish businesses, and I am pleased that they have been welcomed in the chamber today. I hope that we can continue to demonstrate that the Scottish Government will work with industry. To that end, I

will meet producer organisations tomorrow, to continue to explore what can be done to ensure that pragmatic approaches are taken to implementation, where those are needed.

Finlay Carson: Will the minister take an intervention?

The Deputy Presiding Officer: The minister is just about to conclude.

Lorna Slater: As I said in my opening speech, we will continue to listen, and that must include listening to communities and businesses that are calling so strongly for the DRS to be introduced. In the words of the environment community, Scotland's DRS "cannot come soon enough."

The Deputy Presiding Officer: Minister, you need to conclude.

Lorna Slater: I call on Parliament to work with the Scottish Government, industry and others to deliver Scotland's DRS.

The Deputy Presiding Officer: I call Liam Kerr to wind up the debate on behalf of the Scottish Conservatives.

15:58

Liam Kerr (North East Scotland) (Con): Well, it has been a torrid afternoon for the minister. She has been buffeted from all sides as her rudderless, ambiguous, half-baked scheme has been dissected and dismantled. If a picture paints a thousand words, we need only look at the empty seats and rows surrounding the minister. Her Scottish National Party partners have abandoned her rather than be associated with the scheme. Indeed, only one MSP from her own party could sit through the debate to support her.

It is not surprising that those members do not want to associate themselves with the scheme in its current form. Brian Whittle said—and the debate has proved him right—that the policy is essential to our net zero targets, and it is one the premise of which is universally accepted, in this Parliament, in the UK Parliament, across industry and by the public. The minister rightly listed why it is so important that we get the scheme right. Colin Smyth began his speech by openly expressly supporting a viable scheme.

However, we have heard that, only seven months out from its latest launch date, a scheme that was first committed to a decade ago, and which, it appears, has been worked on since 2019, is not only far from ready but, according to businesses, unworkable. My authority for that comes from the Scottish Government's most recently published gateway review, which, as Maurice Golden highlighted, concluded that

"a fully functioning and compliant DRS cannot be in operation for the revised August 2023 schedule".

Lorna Slater: Two reviews were published at the same time in December. One covered the period in May and one covered the period in October. The latest one, which covered the October period, says that the schedule is feasible. The member is citing out-of-date information.

Liam Kerr: In fact, I am citing the most recently published review, as the minister has been told repeatedly this afternoon.

Why is the scheme not in operation? Why can it not be? We have heard the Scottish Retail Consortium say that its members—who must sign up by 1 March, remember—still do not have an "operational blueprint". We have heard that wholesalers are still waiting for a solution for warehouse stock. We have heard that producers are still missing key information. Consumers are facing reduced choice and higher costs—for example, an estimated additional 40p per container. The Scottish Wholesale Association warns that nearly half of drinks firms could disappear from Scotland.

All that is before we even get into the fact that the Scottish Government's own modelling predicts that more than 23 million drinks containers will be fraudulently redeemed every year, creating up to £108 million-worth of fraud. So many problems, yet the minister barrels on regardless.

In her amendment, the minister calls for a "pragmatic approach ... working with industry",

yet she brazenly failed to mention receiving an open letter from more than 600 businesses pleading with the Scottish Government to listen to them. Her pragmatic approach is somewhat exposed by her admission just last week that at no stage did she speak to a single expert operating DRS schemes in other countries, such as Holland, Germany or Sweden, which has had a scheme since 1984. When Mark Ruskell and Kaukab Stewart praised other countries, they failed to mention the significant differences between what is proposed and what works.

Solutions are available if the minister will listen—we have heard them here today. Indeed, earlier this week, I read that the Federation of Small Businesses was pleading for a pause to the scheme as, it says, "confusion reigns". Last week, the Scottish hospitality group said:

"This must be stopped and rethought. The only way workable is to pause, rethink, get proper guidance from industry and professionals, and join the rUK scheme due in 2025".

Christine Grahame: Will the member take an intervention?

Liam Kerr: Yes.

The Deputy Presiding Officer: It will have to be very brief, Ms Grahame.

Christine Grahame: Does the member include in his list the existing glass recycling companies in Scotland, which had to seek a meeting with Circularity Scotland as it had not reached out to them?

Liam Kerr: That is an extremely important point, and utterly shocking.

In terms of solutions, Liam McArthur spoke well. He asked: why not pause instead of whittling away at the scheme?

Daniel Johnson really got to the nub when he said that we should simplify and clarify. Members added to that things such as extending the producer registration period, granting more producers a grace period, granting an exemption for low-volume producers, helping producers maintain cash flow by allowing a 60-day payment, and addressing the apparent inexperience at Circularity Scotland.

I will conclude with a quote from a small business in my region. It said to me:

“Lorna Slater said a few days ago she wanted a scheme ‘more ambitious than other nations’. Her personal ambitions, her lack of knowledge, as well as her disconnect from the rest of the UK will harm the Scottish drinks industry”.

He is right. The debate has made it clear that we all want deposit return to succeed, and throughout it we have all highlighted the concerns and reiterated the solutions. If the Scottish Government is willing, we can still rescue deposit return, so I urge the minister to put aside her personal ambition at decision time, vote for the motion in Maurice Golden’s name and work with all of us to save the scheme before it is too late.

The Deputy Presiding Officer: That concludes the debate on launching a successful deposit return scheme. There will be a short pause before we move to the next item of business, to allow front-bench teams to change position should they so wish.

A9 Dualling

The Presiding Officer (Alison Johnstone): The next item of business is a debate on motion S6M-07977, in the name of Graham Simpson, on A9 dualling. I would be grateful if members who wish to speak in the debate were to press their request-to-speak buttons now.

16:06

Graham Simpson (Central Scotland) (Con): When Jenny Gilruth stood before the Parliament on February 8 to deliver the bombshell news that the contract for dualling the next section of the A9 was not yet going to be awarded, she was keen to blame everyone but herself. From Brexit—of course—to Vladimir Putin, the Minister for Transport trotted out every possible excuse for why this Scottish National Party promise is worthless.

The promise to fully dual the road between Perth and Inverness by 2025 was made just over 11 years ago. In that time, 10 miles of the 80 that needed to be done have been dualled. That is disgraceful.

There has been a long list of ministers responsible in that time, ending with Ms Gilruth. Let us start with the transport ministers. We have had Keith Brown; ferries supremo Derek Mackay; budding First Minister Humza Yousaf, whose record of failure takes some beating; Paul Wheelhouse; Graeme Dey, who got out as fast as he could; and Jenny Gilruth. What about cabinet secretaries? There has been Alex Neil; Nicola Sturgeon—the A9 failure is her legacy, among other failures; Keith Brown again; Fergus Ewing, who had transport in his brief for a while and is now angry about the issue; and Michael Matheson. If we roll back the issue to when it was first mentioned in the SNP’s 2007 manifesto, we could also throw in another hapless transport minister, Stewart Stevenson. That is quite a cast list, each member in their own way responsible.

We have heard this week that construction industry insiders believe that it could take until 2050 to see the road fully dualled. That is pretty gloomy, and I think that they are well wide of the mark. We cannot have that.

Last week, one exasperated local sent me his own estimate, which was that, at the current rate of progress, it will take until 2137 to finish dualling the road—114 years. Things need to improve somewhat. Too many people are being killed on this road, and too many families are being left devastated.

Three companies expressed an interest in bidding to dual the section between Tomatin and

Moy, but only one did. However, Jenny Gilruth said that the rejected bid did not represent value for money for the taxpayer. That came as a big surprise to people in the company behind that bid. In fact, they said that they were “astounded” to hear that in the minister’s statement—so much so that they got in touch with me. Given that the company employs a large number of people, I thought that it was important to talk to them—I hope that the transport minister has done likewise. I have promised not to name the company, because I respect the sensitivities involved, but it has direct experience of dualling the A9 and has a record of delivery.

The company said that it had offered to meet Transport Scotland to answer any questions that it had and give it confidence that its price reflected the true cost of delivering the project but that that offer was not taken up prior to the decision being announced. Why not? The firm spent nearly a year on its tender. That in itself is pretty ludicrous, and is part of the issue that civil engineering firms have with Transport Scotland. The normal tendering process elsewhere in Britain can be measured in weeks, not the best part of a year.

The other big difference here is that, if any incidentals are found, all the cost risk is on the contractor, so, not surprisingly, prices that are quoted have to take that into account. Prices have risen since the job was first put out to tender. The dithering Scottish Government’s original estimate of cost is therefore out of date.

Will the transport minister tell us what she would regard as value for money? If the original anticipated cost was £115 million, what is it now? We need to know. I do not know what the tender price was, but it has been reported as being between £130 million and £140 million. That is not so far removed from the original estimate to justify the minister saying that it did not represent value for money. What result does the transport minister expect to achieve by retendering? Does she expect a cheaper job with corners cut? Surely to goodness not.

The building of such a project is important for the local economy, too. Local suppliers were waiting for the job to be awarded, and hotels and bed and breakfasts were geared up for the influx of labour. We simply cannot afford to hang around—more lives will be lost. What price are we putting on that? Just what is going on here? Has Jenny Gilruth decided that dualling the A9 is unaffordable? Can she explain why Transport Scotland thinks that it is a good idea to build the remaining nine sections one at a time? No wonder it is taking so long and the price continues to spiral. Why can the road not be built in one go? Get one big contractor to do it, and get on with it.

Laura Hansler of the A9 dual action group said this week:

“As a country, we can do way better than this. We only have to look to Europe—Germany is a prime example—or even China. They must look on at this project and be dumbfounded as to what is taking us so long.”

The Government amendment talks about setting out a timescale for completion of the dualling programme to the Parliament later in 2023, but the minister actually said in her statement of 8 February that she expected to have some “advice” from Transport Scotland by the end of the year. Incredibly, she also said that she, too, would like to know the new timescale, but surely she decides that, not Transport Scotland.

Jenny Gilruth believes that it is good to talk. She wants a national conversation about the rail industry, she is having another chat about how we run ferries and there has even been a consultation on the A9. What we need from the transport minister is a little less conversation and a little more action, please.

I move,

That the Parliament believes that the Scottish Government’s failure to deliver on its promise to dual the A9 between Perth and Inverness by 2025 is a betrayal; recognises the vital importance of this route to the economic and social wellbeing of the communities it serves; notes the serious safety implications of failing to meet the commitment to dual, with lives lost and serious accidents having occurred since the commitment was made, and calls on the Scottish Government to provide a specific date for when a revised timescale of works and costs will be published, and to ensure that Transport Scotland publishes a quarterly update setting out progress against published targets.

16:13

The Minister for Transport (Jenny Gilruth): I welcome the opportunity to again discuss the importance of the need to dual the A9 between Perth and Inverness. Members will recall that it is exactly two weeks since we last met to discuss a parliamentary statement on the A9, which I was keen to bring to the chamber. That statement updated members on the specifics of the Tomatin to Moy tender, as we heard from Mr Simpson, and on the original 2025 target date for completion.

I undertook then, as I did in November, to work with local members whose regions and constituencies are directly affected by the A9, and I restate that desire, having written to all members just two weeks ago to apprise them of the planned next steps.

Mr Simpson notes in his motion the vital importance of the route to the economic and social wellbeing of the communities that it serves, and I agree. My nana was born in a croft at Muir of Tarradale, outside Muir of Ord. After nursing in

Glasgow for many years, she retired to Cromarty with my grandfather, and every tattie holiday, every Easter and every summer, my mum would drive my sisters and me up the A9. I remember my nana always insisting that my mum phoned as soon as we got back, so terrified was she, a Highlander, of the A9.

I know that we have to dual the A9, but I also know that that should have been done long ago—before my party was elected and before the Scottish Parliament was re-established. It is imperative that we now move forward at pace.

In my update to Parliament just two weeks ago, I noted that the A9 is often referred to as the spine of Scotland, linking Lowland with Highland and providing a vital route for the people and businesses of the north of this country. I also restated the Government's unwavering commitment to deliver the benefits of completing the dualling of the A9 between Perth and Inverness to the people of Scotland.

I acknowledged that the ambitious timescale that was set in 2011 is no longer achievable. It was reliant on the timely and positive outcomes of factors such as completing the statutory processes. Those processes are set out in the Roads (Scotland) Act 1984. They include gaining the legal authority to acquire land on a compulsory basis as opposed to by negotiation. The timescale also required sufficient market capacity and supply chain availability.

It is fair to say that a lot has changed since 2011. We all know that the pandemic caused significant disruption across the entire country, and progress of the A9 dualling programme has not been an exception. Covid disrupted the completion of statutory processes for a number of sectors, and it also impacted the construction market and its extended supply chains. It is also one of the contributory factors that have driven significant inflationary pressures. Other factors include the consequences of Brexit and increases in energy costs and other costs that have arisen as a consequence of the war in Ukraine

Liam Kerr (North East Scotland) (Con): I hear the minister getting the excuses in early, but people are dying and being seriously injured because of the delays. What does the minister project that the impact of the latest delays on the A9 dualling will be on the Scottish Government's road safety 2023 targets?

Jenny Gilruth: I am sorry, but I have to say to Mr Kerr that pointing out some of the inflationary pressures that are being felt by the Scottish Government is not making excuses. In fact, United Kingdom Government monitoring shows that the

"material price index for 'All Work' increased by 24.1% in July 2022 compared to the same month the previous year."

Things cost more; that is a fact, and Mr Kerr very well understands it.

Graham Simpson: Will the member take an intervention?

Jenny Gilruth: No, I would like to make some more progress.

The wider economic environment has undoubtedly been extremely volatile, particularly in the immediate aftermath of the UK Government's mini-budget of September 2022.

I reported to Parliament the disappointing outcome of the recent Tomatin to Moy procurement—I am not going to shy away from it. We did not consider that the single bid that we received—we only received a single bid, which is extremely unusual—provided best value to the taxpayer. Following that decision, Transport Scotland immediately began work towards the commencement of a new procurement, and I am pleased to report that positive and constructive discussions have already been held with the construction industry as work proceeds on modifications to Transport Scotland's terms and conditions with the aim of increasing competition and delivering better value to the taxpayer. We continue to target a contract award under the new procurement before the end of 2023.

Graham Simpson: I have highlighted issues with Transport Scotland. Can the minister say what the contractual changes will be that will make the procurement more appealing to the industry?

Jenny Gilruth: Mr Simpson raised a fair point, which was also touched on in the parliamentary statement that was made two weeks ago. Transport Scotland, whose representatives are sitting behind me—at the back of the chamber, I hasten to say—is looking at the statutory processes and at the way in which we take forward procurement. We will need to make changes in that respect. I am not going to spell them out today, because I am waiting for advice to come from Transport Scotland. Mr Simpson needs to be mindful that it is only two weeks, including a week of parliamentary recess, since we were in the chamber discussing that very point. I have not yet had that advice, but I have committed to work with local elected members, because I think that that is important. The member might not regard it as such, but as minister, I do.

Jamie Halcro Johnston (Highlands and Islands) (Con): Will the member take an intervention?

Jenny Gilruth: I would like to make some progress, as I note the time that I have left.

As I advised Parliament two weeks ago in relation to the remainder of the A9 dualling programme, Transport Scotland is urgently

considering a range of options to advise ministers on the most efficient way of dualling the remaining sections. Its assessment will consider a range of different options, and I expect to have that advice by autumn 2023, at which time—as I stated two weeks ago—I will update Parliament on a new timescale for completion. I think that that is a reasonable ask in the Conservative motion, and I am happy to do that; I undertook to do so only two weeks ago.

At the same time, we are pushing forward with the work to obtain the outstanding statutory consent for the Pass of Birnam to Tay crossing project, and it is worth saying that there is ministerial approval in place for eight out of the remaining nine sections.

I am not going to pretend that dualling the A9 was ever going to be an easy task. Clearly, a range of factors have impacted on the delivery of the original timescale, but I hope that members will acknowledge my willingness to work with them to ensure that we bring about the full benefits of dualling as quickly and efficiently as possible for the people of the Highlands.

I move amendment S6M-07977.3, to leave out from “believes” to end and insert:

“acknowledges the significant investment by the Scottish Government in sustainable transport infrastructure in the Highlands, including the £330 million enhancements to the Inverness to Aberdeen railway line, the £57 million upgrade of the Highland Main Line between Perth and Inverness, the new £42 million Inverness Airport train station, passing loop and signalling, and over £430 million invested to date on dualling the A9 between Perth and Inverness; notes the progress on dualling this part of the A9, including the opening of two sections, as well as the confirmation by the Scottish Ministers that the statutory process for a further eight sections will be completed; is concerned by the impact of Brexit and the UK Government’s economic mismanagement, which have caused increased labour and material costs, on the A9 dualling programme, including the Tomatin to Moy project; welcomes the intention of the Scottish Government to engage further with the relevant local members on the A9 dualling programme and to set out a renewed timescale for completion of the dualling programme to the Parliament later in 2023, and further welcomes the early progress being made on the £5 million package of short-term measures to make the A9 safer for all road users.”

16:19

Neil Bibby (West Scotland) (Lab): I welcome Graham Simpson holding this important debate on the A9. It is a timely debate, given the terrible news that the transport minister delivered two weeks ago to members in the chamber and to the people of the Highlands.

The admission from the transport minister that the Government’s promise to dual the A9 by 2025 has been broken has been met with anger, despair and frustration—and little wonder, given

the serious road safety concerns. I am sad to say that the A9 has a reputation for accidents. Tragically, 13 people died in 2022, and my thoughts go out to their families. The road is dangerous, with particular black spots at points of transition from dual to single carriageway.

The death toll alone has long made the case for upgrading the road. However, the A9 is also vital for economic and community development. It is used by tourists as well as by Highland residents commuting to work, attending medical appointments and accessing education. Like the minister, members of my own family use it regularly to see one another.

Recently, Labour colleagues and I met members of the A9 dual action group. What emerged so clearly from that meeting—apart from their frustration and disappointment—was how important a better, safer A9 is to their quality of life. The A9 is also vital to supporting the Highland economy, creating jobs and in some areas arresting population decline.

For all those reasons, the dualling of the road needs to be a priority and needs to be progressed as a matter of urgency, as the Labour amendment makes clear. I hope that every member across the chamber, in every party, will support that amendment.

The 2007 SNP manifesto was titled, “It’s time to move forward”, and it included a commitment to dual the A9. Sixteen years later, where are we? We have barely moved forward at all—just 11 miles have been completed, with 77 miles remaining. The remaining nine sections to be completed are listed on Transport Scotland’s website as “in preparation”. In other words, they are not even started yet.

We also do not have a new timescale. We do not even have a firm date for a new timescale. Where is the urgency? Where is the drive? Where is the absolute commitment that the transport minister claimed two weeks ago? If the Scottish Government is still “absolutely committed” to this project, it has a strange way of showing it.

Yesterday, *The Scotsman* reported predictions from industry experts that it could now be 2050 before the project is completed—2050. It is little wonder that people up and down the A9 and across the Highlands feel so badly betrayed and that even some of the minister’s own SNP colleagues are publicly furious about the situation.

What has not helped is being treated to bizarre excuses, with the Government even stooping so low as to attempt to blame Vladimir Putin’s invasion of Ukraine. We have also had the excuses of Covid and Brexit. It is not just me saying that those excuses are not credible; we can

see the public's deep scepticism about those absurd claims.

There are many questions about how the situation has come to pass over the past 16 years. That is why Scottish Labour believes that there must be a parliamentary inquiry into the Government's failure to deliver this key promise. The promise needs to be delivered without delay. That is why we cannot support the SNP amendment, which welcomes the intention of the Government

"to set out a renewed timescale for the completion of the dualling"

later in 2023.

Any SNP member of the Scottish Parliament who votes for that amendment cannot also claim that they are standing up for their constituents. Are we seriously expected to welcome a delay and to welcome the fact that a new timescale will not be set out until later this year? It should be happening now; in fact, it should have happened long before now. The fact that it has not leads people to question how committed the SNP and Green Government is.

Since the terrible news two weeks ago, Green MSPs such as Ariane Burgess have broken cover to state their view that dualling the road is not actually a priority. How on earth can the transport minister say that this Government is "absolutely committed" to dualling the A9 when Green MSPs are not?

Two weeks ago in the chamber, I asked the minister whether the Greens were in favour of the project. In response, she just said:

"I am not a Green ... minister."—[*Official Report*, 8 February 2023; c 32.]

The last time that I checked, the minister was a Scottish Government minister, and the Government is made up of the SNP and the Greens. Presumably the minister can tell us today whether, when she says that the Scottish Government is "absolutely committed" to this dualling project, she is also speaking for her partners in government, the Scottish Greens. I am happy to give way to the minister if she wants to give that commitment, because I am not hearing it from the Greens themselves.

The point is also important in the context of what Mr Whittle and I heard from the A75 and A77 action group, which, as members may recall, we raised in the chamber. We were informed that the minister told campaigners that the Greens might hinder efforts to have those roads upgraded. That, alongside the comments of Green MSPs, will make people believe that the same must be true of the A9.

The story of the A9 dualling project is a story of promises made and promises broken, lives lost, local people betrayed and rural communities and economies let down.

Highland communities and other users of the A9 should also hear an apology from the minister today. However, that is not enough; they also deserve to hear when the Government will deliver on its commitment to them to fully dual the road. The least that the Government can do is finally come clean, be frank with people and give them some answers as well as action.

I move amendment S6M-07977.1, to insert at end:

"notes the statement made by the Minister for Transport on 8 February 2023 that the Scottish Government is still 'absolutely committed' to dualling the A9, and believes that this project is a priority and should be progressed as a matter of urgency."

16:25

Beatrice Wishart (Shetland Islands) (LD): My amendment, had it been selected, highlighted that the A9 continues north of Inverness as another 100 miles of

"predominantly single carriageway, with a number of serious and fatal accidents happening on this stretch of the road".

It also noted that

"communities in the Highlands are suffering due to the lack of action to tackle the issues with the road",

and called on the Scottish Government

"to announce a proper plan for the upgrading of the A9 north of Inverness so that it is fit for purpose."

The case for improvement by dualling the A9 to Inverness has long been accepted, and dualling has long been promised. Dualling will better serve communities along the route from Perth to Inverness and improve the time that it takes to reach Aberdeen and local towns and villages between and beyond. We are talking about the pace at which that commitment is delivered. Every delay brings the risk of more accidents and fatalities; upgrading is needed now. We must not neglect infrastructure out of dogma. We have seen the SNP's own deadline slip beyond 2025. We have had 15 years of SNP Government, yet progress has been painfully slow.

Residents are looking for an urgent announcement of the Scottish Government's revised timetable for the completion of A9 dualling; adequate funding to make sure that another deadline on the A9 upgrade is not missed; and an announcement of a proper plan for the upgrading of the A9 north of Inverness, which has so far been neglected.

We should also recognise that users of the A9 range from regular users and residents who are confident on the road to drivers who are unfamiliar with it and visitors to Scotland's tourist spots who are underconfident of the mix from single to dual carriageway.

Although upgrades in good time are needed to improve safety and connectivity, more can be done to shift freight off the road and on to rail. That would need the equivalent planning and upgrading north of Inverness as well as between Perth and Inverness.

We should also ensure that these key routes are linked to local public services, making sure that bus routes, for example, are able to take people to the main routes and connect our cities through better public transport connections. My colleagues in the far north of Scotland continue to campaign for better provision of maternity services. Any new plan for the A9 beyond Inverness should address that need.

In conclusion—forgive me, my voice is giving out—all sectors need to reduce carbon emissions if we are to reach our net zero targets, and transport is lagging behind. We cannot take every car off the road. In some parts of the country, car travel is the only viable transport option. Therefore, Scotland needs to go electric as quickly as possible. We need to see progress on the electric A9 plans to upgrade and invest in the road, which would ensure that electric vehicle charging is available in suitable, convenient locations, so that passengers are not stranded miles from where they need to be. Those plans also need to stretch to upgrades beyond Inverness. If we can give people in Scotland the confidence to buy an electric vehicle, we can help to move older cars off our roads sooner.

Our key routes should be easily reachable from such vital infrastructure. After all, it is people that the infrastructure of Scotland serves. Routes such as the A9 should be safe, accessible and link communities and services.

16:29

Jamie Halcro Johnston (Highlands and Islands) (Con): I am sorry that the minister was not able to take my intervention. I wanted to ask her when she was first advised by Transport Scotland that the commitment to dual the A9 by 2025 was not going to be met. Therefore, it is helpful that Transport Scotland officials are in the chamber today; maybe they can advise her and she can include that in her summing up or she can intervene during my speech.

The A9 is a road that I know very well—I have known it all my life. I travelled on it before there were new bridges over the Dornoch and Cromarty

Firths and before there was the Kessock bridge, when people had to go on the small ferry across the water. For many, it is the road that links the Highland and Islands with the central belt, but, for me, it is the road home. It is the road that I drove back down on only yesterday.

Its importance is why, in 2006, Murdo Fraser and I launched the dual the A9 campaign, why we campaigned for the road to be dualled between Perth and Inverness and why, regardless of the politics of the issue, I was pleased when the Scottish Government gave a commitment to dual it by 2025.

Unfortunately, that commitment was largely only words. Jenny Gilruth's belated admission that the SNP's promise to dual the road would not be delivered was met with anger, but not surprise, in communities across the Highlands and Islands. While most of us have known for years now that the promise was going to be broken, time and time again, SNP ministers have come to the chamber or sat in committees in the Parliament repeating the same increasingly ridiculous assertion, claiming that all was fine, the commitment stood and the road would be dualled as promised. That was not true, and the Scottish Government was taking folk in the Highlands and Islands for mugs.

What is so frustrating is that we know the economic benefits of dualling—improving connectivity for my region, bringing businesses closer to their markets and making it easier for people to visit the region. We know of the social benefits—it would link local communities and families and bring people together. We also know of the safety benefits. Eighty-three people have been killed on the A9 since 2011. That is 83 lives lost and families mourning loved ones. Many more have been injured in accidents, and how many more dangerous incidents go unreported?

How did we get here? Years after work was meant to start, the vast majority of the road between Perth and Inverness remains single carriageway, and there has been little or no progress on dualling those sections. The SNP has blamed Brexit, it has blamed Covid and it has even blamed—as Graham Simpson said—Vladimir Putin. Those who are responsible are not in the Kremlin; they are here in Edinburgh, and they are on the Government benches.

One of the reasons why there is so much anger locally is that SNP ministers have utterly failed to be honest with the Parliament and the public over delays. Why were we not given realistic updates on how the project was progressing—or failing to progress? Why were we not told when there were problems and how they would impact completion dates?

That is why it is so important that, as our motion calls for, ministers provide a specific date for when a revised timetable of works and costs will be published and that, going forward, Transport Scotland publishes a quarterly update that sets out progress against published targets.

Jenny Gilruth is just the latest minister to have come to the chamber to defend the mess that the SNP has made of the project, and she does so largely because of the failings of those who came before her. However, all those who have served in this Government bear some responsibility for the failure, as do those on the SNP back benches, who, when they should have been challenging their ministers on the issue, were too happy to sit on their hands, putting loyalty to the SNP before responsibility to their constituents. If any one of the seven SNP Highland and Islands MSPs were here in the chamber, I would have asked them whether they were going to keep the wailing and gnashing of teeth in the local media but back that same failure again today by voting for the Government's dismissive and deflective amendment, or whether they were going to put their constituents, not their party, first by rejecting the Government's amendment and supporting our motion at decision time.

The Presiding Officer: You must conclude, Mr Halcro Johnston.

Jamie Halcro Johnston: I urge those members to stand up for their constituents by sending their Government a clear message: no more failures and no more excuses—get the A9 dualled.

16:34

Stuart McMillan (Greenock and Inverclyde) (SNP): I thank the Tories for bringing the debate back to the chamber. In a moment of consensus, I agree with the line in the Tory motion that says:

“recognises the vital importance of this route to the economic and social wellbeing of the communities it serves”.

I also agree with the comments today regarding the number of deaths—

Douglas Ross (Highlands and Islands) (Con): Will the member give way?

Stuart McMillan: I have only just started.

I also agree with the comments today regarding the number of deaths that have taken place on the A9 over many years, even those long before the establishment of this Parliament. I express my sympathies to every family who has lost a loved one.

I want the A9 to be dualled as quickly as possible. I have long held that view and, indeed, it has been a long-standing SNP policy. The

transport minister has made clear her desire to dual the A9 and her determination to make that happen.

I accept that many people are disappointed with the recent statement that the Tomatin to Moy section will not progress at this time. However, as the minister has stated, the cost that came in from the one bidder was considered to be too high at the time.

In December 2021, three bidders were invited to participate in a procurement exercise, with final tenders required to be submitted in October 2022. That coincided with many external factors, including the pandemic, disruption caused by Brexit and—whether the Conservatives like it or not—the war in Ukraine, which has affected global international costs. The inflationary impact of all those aspects is significantly affecting the construction market. Unfortunately, only one company provided a tender submission, and it was considered that the £115 million cost that it submitted was too high at the time.

Murdo Fraser: Will the member give way?

Stuart McMillan: Just one moment.

The minister referred to best value. Anyone who has ever served on the Parliament's Public Audit Committee will be aware of Audit Scotland's best value reports and how important best value is. Clearly, that has been an issue in the past, with contracts sometimes being awarded and deals being done because they offered the lowest cost. Sometimes, the lowest cost does not lead to the best value for the taxpayer.

Murdo Fraser: I appreciate the list of reasons that the member has given in his explanation of why the project has not proceeded at this point. However, does he not recognise that the commitment was first made in 2007 and was then repeated in 2011? Why was progress not made in those previous years, before Covid came along and caused delays?

Stuart McMillan: I am sure that Murdo Fraser will recognise that, after the SNP came into power in 2007, there was a financial crash in the following year—[*Interruption.*] Some folk can sit and moan all they want, but there was a financial crash that had a detrimental effect on the economy not just in Scotland but across the UK and globally, and its impact did not end that year but was felt over many years. The fact that the UK Government still has a large share in the Royal Bank of Scotland—which is now part of the NatWest Group—tells a story about the effects of that particular international incident.

Rhoda Grant (Highlands and Islands) (Lab): Will the member take an intervention?

Stuart McMillan: I am sorry, but no.

I am sure that the Tories—no doubt led by Mr Simpson—would be going hell for leather in criticising the transport minister if she had signed up to a contract on the basis of one bid only. In that scenario, I am quite sure that we would be having a totally different debate today, as the Tories would, no doubt, be asking the Scottish Government to go back to the market to get a more economical bid.

I am disappointed about the decision, but I believe that the transport minister had no other choice to make. If there had been no investment to date, I could understand the Tories' criticism. However, more than £430 million has already been spent on the road from the £3 billion investment that is needed, which is based on 2008 figures.

I am conscious that the Presiding Officer is indicating to me to finish, so I will end there.

The Presiding Officer: Thank you. I call Edward Mountain, to be followed by Paul McLennan.

16:38

Edward Mountain (Highlands and Islands) (Con): Let us get down to the real facts and let us talk about the journey times from Perth to Inverness. On a good day, someone travelling by car will take two hours and 30 minutes, and, on a really good day, someone travelling by train will take two hours and 10 minutes. Those times have not changed since 1986. I know from driving the road late on a Thursday night and late on a Monday night nearly every week of the year just how dangerous that road is. It should have been upgraded.

We should not forget that, in 2007, at the same time as the SNP promised to upgrade the road, it promised to upgrade the rail. It had an aspiration to shave 35 minutes off the train travel time from Inverness to Edinburgh. That has not been delivered. The aspiration to shave 10 minutes off the two-hour-plus journey time from Inverness to Perth has not been delivered either. What has been delivered? The shaving of 10 minutes off the journey time between Glasgow and Edinburgh. That journey time is now 40 minutes. Highlanders feel ignored, and rightly so.

Let us turn to the A9. I think that *The Inverness Courier's* headline is very appropriate:

"R.I.P. SNP promise of dualling A9 by 2025
Born: 2007 Died: February 8, 2023".

That is what we feel like in the Highlands—we are left with a tombstone on which the SNP's promise is written.

Graham Simpson mentioned the roll of dishonour for transport ministers. He mentioned

Stewart Stevenson. He mentioned Keith Brown. He mentioned Derek Mackay, Humza Yousaf, Paul Wheelhouse and Graeme Dey, and finally Jenny Gilruth, who I feel sorry for because she has been left carrying the can. They are looked on in the Highlands as the modern-day Dick Turpins—the highway robbers who have denied us the access route that we deserve. The problem is that, when we describe them as that, it maligns Dick Turpin, because his words were, "Stand and deliver," and not one of those ministers has delivered anything for the Highlands when it comes to connections.

A lot of noise is being made on the SNP back benches by one of its Highland MSPs: Fergus Ewing. He is a man who has been in government since 2007. He is a Highlander. He has been a Government minister, he has been a cabinet secretary and, for the past 14 years, he has been missing in action. It is only now that he is showing what I would describe as barrack room bravery, having shown absolutely no battlefield bravery when he stood to lose his extra pay and pension and his ministerial car.

I am sorry that he is not here today, but I hope—

Fiona Hyslop (Linlithgow) (SNP): Will the member take an intervention?

Edward Mountain: No, I will not. I think that now is the time to listen. I am sad that Fergus Ewing is not here today, and I know that he has good reasons for not being here today. I hope that, at decision time, his technology will not fail him, as it seems to do when he has to make a hard decision.

We desperately need to stop the accidents on the A9. We need to connect the Highlands, and this Government—

Ruth Maguire (Cunninghame South) (SNP): Will the member give way?

Edward Mountain: Yes, I will, in just a minute. We need to stop the accidents and get the Highlands connected, both of which the Government has promised to do. I will give way.

The Presiding Officer: The intervention will have to be brief. The member is in his last half-minute.

Ruth Maguire: The member mentioned the people of the Highlands and Islands. I wonder whether he agrees with me that they would probably prefer him to focus on the issues and not on personalities.

The Presiding Officer: Edward Mountain to conclude, please.

Edward Mountain: Of course, I always like to focus on the issues, but the issue is that personalities have not dealt with the problem.

They have had long enough to deal with it, and we are all sick and tired of it in the Highlands.

Sixteen years this Government has had—16 years of doing nothing. I say to the Government the simple words that most Highlanders would say: shame on you. Get on with the job and give us the A9 that you promised us in 2007.

16:42

Paul McLennan (East Lothian) (SNP): I am glad to take part in the debate. My constituency of East Lothian has the main east coast road, the A1, passing through it. It was dualled in 2000. Prior to that, it was a two-lane road with no passing points. I remember the frustration of residents, commuters and business at that time. I understand the frustration. I also have constituents raising issues about the A9 who travel on it regularly to visit family and for business reasons.

Jamie Halcro Johnston: Will the member give way?

Paul McLennan: No. I have only four minutes and I have just started. I will maybe take one later, if I can make some progress.

The over £430 million that has been invested in dualling the A9 to date has meant that much has already been achieved. We have also heard about the wider £3 billion investment that is needed. Another thing that has been mentioned is the Inverness airport railway station, which opened just last week after an investment of £14 million.

The Scottish Government is clear that the main route to improving road safety will be the full completion of the A9 dualling between Perth and Inverness, but, in the current climate, protecting public finances is an essential part of responsible government. There might be a debate about that, but our public finances are under sustained economic pressure. Surging energy prices, raging inflation and the damage to the labour supply that was caused by Brexit, along with the Kwarteng/Truss disaster, have created the most difficult set of conditions in which to set a budget. Difficult decisions are required, and resources will be targeted where they are most needed. We do need best value for taxpayers—I think that we all agree on that. Protecting public finances is an essential part of responsible government.

In December 2021, three bidders were invited to participate in a procurement process, and, as we have heard, one tender came through. Due to economic conditions—we have heard the minister talk about this before—construction inflation was running close to 20 to 25 per cent above the year before. That resulted in the submission of only one tender, and the estimated cost of the construction contract was about £115 million, which was

significantly higher than expected. As we have also heard the transport minister say, ministers concluded that the awarding of that contract did not represent best value at the time.

The Scottish Government is very clear about its firm intent to retender for dualling between Tomatin and Moy at pace and with urgency. As the minister also referred to previously, she will set out a revised timescale later in the year, in consultation with Transport Scotland.

The original completion date for dualling was 2025. It was always an ambitious challenge, and that has proved to be the case. It was always reliant on timely and positive outcomes from a range of factors, such as public and stakeholder consultation and approval processes, and on market and supply chain capacity.

Road safety is important until we move towards the full completion. Before Christmas, the Scottish Government committed additional investment of £5 million to improve short-term road safety measures on the A9.

Jamie Halcro Johnston: Will the member take an intervention?

Paul McLennan: Very briefly.

Jamie Halcro Johnston: Can the member tell us why none of his SNP colleagues from the Highlands and Islands are in the chamber today? Does he know whether any of them will be speaking or whether they will all be voting?

Paul McLennan: I cannot comment on other members. I am making a speech, and I cannot comment on my colleagues.

As well as the three safety schemes that are already scheduled for delivery, an additional £600,000 of works and campaigns will be delivered by April this year, focusing on the A9 between Perth and Inverness.

I will close by referring to an important exchange in the budget debate yesterday. Fiscal flexibility discussions are on-going between the Scottish and UK Governments. When the issue was raised yesterday, Liz Smith said that she did not support additional borrowing powers per se but would support such powers for specific reasons. I want Scotland to be independent and have full borrowing powers, like any other normal country, but specific additional borrowing powers, particularly for investments in infrastructure such as the A9, would allow projects to be delivered more quickly. Fiscal flexibilities that are agreed by both Governments would demonstrate maturity.

Liz Smith (Mid Scotland and Fife) (Con): Will the member give way?

Paul McLennan: Very briefly, as I just have one line to finish.

The Presiding Officer: The member has 10 seconds, almost.

Liz Smith: I just want to clarify that that is not quite the correct interpretation of the fiscal framework.

The Presiding Officer: Please close, Mr McLennan.

Paul McLennan: The fiscal framework can be set by both Governments. I urge Liz Smith to raise the issue with her Tory colleagues at Westminster. I will continue to raise the issue in the chamber and in committees.

16:46

Mark Ruskell (Mid Scotland and Fife) (Green): I have lost count of the number of questions, statements and debates on the A9 that we have had in the chamber over many years. Mr Simpson gave us a rather amusing potted ministerial history at the beginning of the debate. I respect the fact that the Scottish Government remains committed to seeing the A9 dualling project through to the end, but the reality is that there are challenges and pressures on priorities and budgets, and they are growing and will not go away any time soon.

Neil Bibby: The Scottish Government has said that it is committed to dualling the A9. Are the Scottish Greens fully committed to dualling the A9?

Mark Ruskell: I would simply say to Mr Bibby that he needs to read the Bute house agreement, which is clear about the commitments on the A9 and the A96.

The latest estimate has every single mile of the A9 dualling project costing between £19 million and £23 million just for construction, so that does not include management of the project or even buying the land. It is an eye-watering amount of money. Therefore, the biggest challenge to dualling every single last inch of the A9 does not come from Green arguments; it is about the financial reality that the Government faces.

Some Governments—I point out to Mr Bibby that most notable among them is the Labour Welsh Government—are starting to make difficult choices. The Welsh Government is listening to its Future Generations Commissioner and the National Infrastructure Commission for Wales, and it is abandoning vast road-building programmes and investing in other transport priorities that benefit people and the climate.

When I think of the transport challenges in the Highlands and Islands and the very real need for investment, I think of ferries, harbour infrastructure and fixed links. I think of the need to keep lifeline

roads open, such as the Rest and Be Thankful. I think of the desperate need to dual the Highland main line and the investment that is needed in rail freight to get timber lorries off the roads. I think of the safety issues that we have on roads such as the A85, which can never be dualled. I think of all that, and I wonder what a further £1,400 million would deliver for all those communities.

For the A9, we absolutely need improvements—the status quo will not do—but safety improvements must come first. The recent spate of tragic fatal accidents on the A9 has happened for a range of reasons, and although dualling might have helped to prevent some of those accidents, we have also seen fatalities on recently dualled sections of the road. Dualling the A9 was never primarily a road safety project but, if we want to maximise the number of lives saved and accidents avoided across Scotland's road network, including the A9, we need to invest carefully in the right measures. Sections of the A9 dualling will still need to be completed, but investment should not stop there.

That is why I am saddened to see Liam Kerr campaigning against speed cameras on the A96, because they are a cost-effective way of saving lives. However, I credit his colleague Finlay Carson for campaigning for the introduction of speed cameras on the A75.

I have met a number of constituents to discuss A9 improvements. For example, I have met the Birnam and Dunkeld junctions action group, whose calls for safety improvements are important. Progress must be made before the next surge in visitor numbers at the start of the new season. I warmly welcome the fact that our minister, Jenny Gilruth, has acted quickly and decisively on a package that will improve driver safety, focusing first on the Birnam to Dalguise section.

Edward Mountain: Will the member give way?

Mark Ruskell: I do not have the time.

The action group has also talked about the need for the speed limit to be reduced to 50mph between Birnam and Dunkeld and for there to be better lighting at junctions, monitoring cameras and a roundabout at Dunkeld. I urge the minister, in her closing speech, to double down on those suggestions from my Perthshire constituents and to continue the investment in the A9 but to invest wisely based on where we are now and what the future looks like.

16:50

Collette Stevenson (East Kilbride) (SNP): As far back as 2007, the SNP had a manifesto commitment to scrap the Edinburgh trams and,

instead, spend the money on an A9 dual carriageway. Recent figures put the cost of the trams project at £776 million—double the original estimate. All three Opposition parties teamed up together to defeat Government plans to scrap the trams, the trams were reinstated and the cash for the A9 was lost.

The Scottish Government has invested more than £430 million to date on dualling the A9, and I am glad to hear again of the Government's commitment to complete the dualling programme between Perth and Inverness. It is good to hear that the Government's commitment to dualling the A9 is absolute, despite this recent news.

However, the current climate requires that prudent choices be made with regard to public finances. It is the duty of any responsible Government to protect public finances, and the Government's decision obviously takes into consideration broader factors such as efficiency, effectiveness and sustainable development. To have continued with the process, given the circumstances, would have been wrong.

Seven of the eight remaining projects have completed the statutory process, accounting for 92 per cent of the length that is to be dualled. The Scottish Government continues to make progress on the remaining section, with input through a co-operative process with the local community. The results of the preferred route option will be announced in spring. I understand that work continues to obtain the outstanding statutory consent for the Pass of Birnam to Tay crossing project, with the required land acquisition to be completed as soon as possible.

The Scottish Government recently committed to providing £5 million of additional investment to improve short-term road safety measures on the A9. The measures include enhanced road markings, illuminated road studs and improvements to highlight single carriageways and the transitions at dualled sections. Variable message signs will also be deployed along the route. I am sure that those measures will be welcomed by the local community and by others who travel on the route.

The on-going economic volatility cannot be ignored.

Graham Simpson: Will the member take an intervention?

Collette Stevenson: No. I have no time in hand.

Surging energy prices, raging inflation and the damage to labour supply and trade due to Brexit, along with the spectacular financial mismanagement of the UK Government, have created the most difficult set of conditions in which

to set a budget. Those are facts that the Conservatives would rather forget.

Jamie Halcro Johnston: Will the member take an intervention?

Collette Stevenson: I have no time in hand.

Difficult decisions are necessary, and resources will be targeted where they are needed most to ensure maximum value from every pound that is spent.

The UK Government has deliberately chosen a form of Brexit that will make it harder and more expensive for firms to export goods and services to the European Union and to employ EU nationals in their workforce. The Conservatives have made choices that have consequences, and they should own them.

As part of the retendering process, Transport Scotland will engage with representatives of the construction industry, including the Civil Engineering Contractors Association, on how elements of its standard terms and conditions for such projects might be modified to encourage more bidders to participate. If more bidders come forward, I am hopeful that costs can come down so that we provide better value for the taxpayer.

I know that I am running out of time. I will conclude with a quote from former Tory leader David McLetchie, who said:

"The SNP policy is to concrete over the Highlands. This represents a massive diversion of investment from Edinburgh and the south-east into the north of Scotland and the Highlands."

The Presiding Officer: You must conclude, Ms Stevenson.

Collette Stevenson: He said:

"No one should be under any illusion as to that. I think there is no doubt"—

The Presiding Officer: Thank you, Ms Stevenson. We move to winding up speeches.

16:55

Rhoda Grant (Highlands and Islands) (Lab): The stretch of the A9 that we are debating is important not only to the communities from Perth to Inverness but to those beyond, as far as our islands and communities in Orkney, Lewis and Harris, who have been betrayed by the Government and yet are still waiting for an apology.

Last year, eight deaths occurred on a 25-mile stretch near the Slochd in just three months. It must add to the grief of the families involved that, had the Government's promise been fulfilled, many of those people would be alive today. The

total number of deaths on the road between Inverness and Perth in 2022 was 13.

Many more people have lost their lives on the A9 north of Inverness. I concur with Beatrice Wishart, who highlighted the issues with that section of the road, and I agree that it needs attention, too, especially with the centralisation of maternity services.

The dualling of the A9 was an SNP manifesto commitment in 2007. In December 2011, after the crash, the Scottish ministers confirmed the commitment to upgrade the A9 between Perth and Inverness to full dual carriageway by 2025.

Neil Bibby has mentioned that the Greens do not appear to share that priority. Ariane Burgess has stated publicly that the safety improvements that the minister has outlined should be the top priority, and Mark Ruskell doubled down on that idea today. That totally overlooks the fact that dualling would provide maximum safety. Signs and paints are poor substitutes for a dual carriageway. I ask the minister whether she will assure us that the Green partners of the Scottish Government's coalition have not hampered progress. Mark Ruskell referred to the Bute house agreement but did not say that he would support the project as a priority, and other SNP speakers seemed to echo those sentiments.

Jamie Halcro Johnston and Edward Mountain asked where the other Highlands and Islands SNP MSPs are—they appear to have abandoned the minister. Instead, we have in the debate Stuart Macmillan, representing Greenock and Inverclyde; Paul McLennan representing East Lothian; and Collette Stevenson, representing East Kilbride. Again, that shows little appetite to make this road a priority.

Edward Mountain: Does the member agree that the lack of support from Highlands and Islands SNP MSPs will not be forgotten by their constituents, whom they have let down?

Rhoda Grant: Yes. Our constituents are very angry about this broken promise and they will not forget it easily.

The Minister for Transport blamed the war in Ukraine, Brexit, Covid and inflation. However, the truth is that, had the Government's intention ever been to have this work carried out by the 2025 goal, it would already have issued contracts, land would already have been purchased and designs would already have been signed off. Instead, we are hearing today that the minister is still waiting for options from Transport Scotland for the nine remaining stretches to be worked on.

Neil Bibby talked about the construction industry source who said that, going at this speed—indeed, the Scottish Government is going slower than the

speed to which the expert referred—it will be 2050 before the completion of dualling. Sadly, I do not believe that it will be that soon, because no work has been carried out. If inflation is as the minister has said, the work will go way beyond 2050—in fact, I will be lucky if it happens within my lifetime.

We have talked about the lives that have been lost, and you cannot put a value on a life, but every fatal accident inquiry costs £2 million, so £26 million was spent on that last year, and there is also the £5 million cost of signage and paint to improve road safety. All that is a cost to the public purse, and all that money could have been invested in the A9.

Graham Simpson talked about the risk to the contractor and the fact that the contracting process is working in a way that prohibits people coming forward. The minister says that she is modifying it, but all that should have been done long before now. Waiting for regulations to be modified builds in a delay.

This is indeed a betrayal of the Highlands and Islands and their communities. We need an inquiry to see what has gone wrong in the recent and distant past—

The Presiding Officer: You must conclude, Ms Grant.

Rhoda Grant: —and to shine a light on what progress can be made. We need the Scottish Government to adhere to a realistic timeframe, and we need a commitment from the Government that this work will be a priority.

The Presiding Officer: I call Jenny Gilruth. You have up to five minutes, minister.

17:00

Jenny Gilruth: I have listened carefully to the contributions from all parties, and I know only too well the strength of feeling on the topic in all parts of the chamber, including my party's.

It is important to start by reflecting on the fact that the A9 dualling programme does not exist in isolation. I hope that that is not the point that Rhoda Grant was trying to make.

It is true that Covid-19, Brexit, recent inflationary pressures and the economic volatility that followed the UK Government's budget have all had an impact on the A9 dualling project. Members need to accept that. If they will not accept it from me, perhaps Conservative members will accept it from their own Government, because the UK Government has also been impacted by those factors. The National Audit Office is reporting delays to planned roads projects in England, with costs increasing by more than £3 billion, 39 road-building projects seeing cost increases and

National Highways forecasting delays on 33 projects. In those circumstances, it is essential that the Scottish Government takes careful stock of the options for delivering the remaining dualling programme.

Jamie Halcro Johnston: I am grateful to the minister for taking an intervention. When was she told by Transport Scotland that the project to dual the A9 was not going to happen? If she cannot recall that, can she ensure that she advises Parliament, sends a letter or something?

Jenny Gilruth: I can recall that, so I would prefer that Jamie Halcro Johnson does not attempt to put words in my mouth. I was told in December last year, and I updated Parliament—*[Interruption.]* I updated Parliament on the Tomatin to Moy tender on 8 February. A decision was made on that tender on 3 February, so I hope that the member will accept that that was done timeously enough.

It is hugely important, given the long-term financial commitment that is required of the Government and the challenging position of public finances, that we look again at the Tomatin to Moy tender. We have spoken about that at length today and, of course, we also did so only two weeks ago.

I have committed to updating Parliament with a new timescale for completion once I have received advice on the options, which I expect to have by autumn this year. I have also committed to engaging with interested members on the progress of the A9 dualling programme. Further details of plans for that engagement will be provided in the coming weeks.

I would like to address a number of points that have been made during the course of today's debate. I was going to address the point that Mr Halcro Johnston made in his speech, but I believe that I have already done that.

Douglas Ross: Will the minister give way?

Jenny Gilruth: I would like to make some progress on points that were raised by members during the debate. I do not believe that Douglas Ross was here for it.

Graham Simpson asked—*[Interruption.]* Graham Simpson asked why schemes cannot be constructed at one time, as they are available. The main reason why we do not do that—much like the high speed 2 scheme, which is also being delivered in packages—is the disruption that would be caused. Given the length of the route, disruption to communities is a hugely important consideration.

Douglas Ross: Will the minister give way?

Jenny Gilruth: I would like to make some progress. As I undertook to do only two weeks ago, I will come back to Parliament with the updated timescale, the need for which I accept, and which I think is the outline of the Conservative motion.

Neil Bibby and, I think, Rhoda Grant asked about the Bute house agreement. Of course, that agreement explicitly states that work that is under construction on the trunk road network will continue. The A9 is not part of the Bute house agreement. I hope that that answers the question.

Beatrice Wishart touched on the importance of the route north of Inverness, which is often overlooked in the context of where we are today. It is worth saying that, since 2008, we have completed two major schemes at Helmsdale and Berriedale braes. We are also progressing some improvements at the Munlochy junction. I visited the site in October last year; it is hugely important that there will be real improvements in road safety for that community.

As I mentioned, we are also looking at the wider economic climate—including, as I mentioned, the inflationary pressures—in relation to options for delivering the remaining elements of the programme.

I expect that an announcement on the preferred route option for the Pass of Birnam to Tay crossing section will be made in spring this year. We will also complete the preparatory work on the made orders for the three projects that are yet to reach that stage.

I am not shying away from the challenge that is posed for the Government in respect of dualling the A9. It cannot be solved in an afternoon Opposition debate, unfortunately—nor could it be solved in my statement to Parliament two weeks ago.

Liam Kerr: Having had time to reflect on the question that I posed right at the start of the debate, can the minister now tell us what impact she projects the A9 delay having on the Scottish Government's road safety 2030 targets?

Jenny Gilruth: I am sorry that I do not have in front of me the information that Mr Kerr is seeking. I am more than happy to write to him with it, although I am not necessarily sure that I understand the sentiment behind the question.

The approach that I will take as transport minister is to work with people. Although Mr Simpson seems not to like that approach, it is why I engaged with members last year on the short-term measures which—as I think we heard from Mr Ruskell—are hugely important. An extra £5 million has come from the Scottish Government to improve road safety on the A9. That is also why I

have engaged, and will continue to engage, with the A9 safety group to make sure that investment is delivering tangible improvements on the ground, where they are needed, and why I have tasked Transport Scotland with an expedited turnaround on the renewed procurement for the Tomatin to Moy stretch that can be secured by the end of this year, so that we can move forward.

I know that it is imperative that we get the job done for the people of the Highlands who rely on the spine of Scotland, for the communities along the route and for the businesses that depend on it. I commit to working with all parties on doing so as quickly and as efficiently as possible. I will return to Parliament in the autumn with the updated timescale for completion.

17:06

Murdo Fraser (Mid Scotland and Fife) (Con): I thank all members who have contributed to this afternoon's short debate. As Rhoda Grant does, I think that it is striking that not a single SNP MSP representing either the Highlands and Islands or Perth and Kinross was prepared to come to the chamber to defend their Government's record on the A9.

There is a stark statistic that should be in our minds as we debate the issue. In the course of last year, in 2022, 13 people died on the A9 between Perth and Inverness. Of those, 12 died on single-carriageway sections. Every one of those deaths is a horrible and avoidable tragedy for the person's family and friends, and comes at substantial economic cost.

It is sometimes said that there are no bad roads, just bad drivers, but we know that the reality is—as all the statistics tell us—that single-carriageway roads are many times more dangerous, and many times more likely than dual carriageways are, to cause fatal and serious accidents. That is because dual carriageways have physical separation between the traffic moving in opposite directions. On a single carriageway, it simply takes a vehicle drifting across the centre for the result to be a horrible head-on crash that will, with both vehicles doing 70mph, almost certainly lead to a most serious, if not fatal, accident. That is why a dual carriageway is so important.

We have talked a bit about the Government's record and political will. Let us look at the history of the A9. We had a Conservative Government between 1979 and 1997. What did that Conservative Government deliver for the A9? It delivered the dualling, in its totality, of the stretch between Stirling and Perth, which is more than 30 miles. It delivered, north of Inverness, the dualling between Kessock and the Tore roundabout. It delivered the construction of the Kessock bridge

and the Dornoch bridge. It also delivered on the stretch between Perth and Inverness, which includes 25 miles of dual carriageway. In total, in 18 years it delivered more than 60 miles of dual carriageway and two major firth crossings.

By contrast, this SNP Government, which has been in power for nearly the same length of time—16 years—has delivered just 11 miles of dual carriageway. I do not know whether that is the malign influence of the Greens on the Government, but if one Government can, with the political will, deliver so much in 18 years, there is nothing to have stopped the SNP Government having done the same.

As my colleague Jamie Halcro Johnston picked up on, we heard once again from the minister an attempt to blame everyone else—to blame Brexit, the UK Government and Vladimir Putin—for her not making progress. I remind the minister that the commitment was originally made in 2007. There was ample time to make progress on A9 dualling many, many years ago. There is no point in trying to find excuses now.

What needs to be done now? I welcome the £5 million for short-term improvements, and I thank the minister for her engagement on how that money might be spent, but we need to be realistic. That is a sticking plaster, given what is required. The only thing that will save lives in the long term is getting the dual carriageway constructed.

I was at this morning's meeting of the Citizen Participation and Public Petitions Committee, along with Fergus Ewing and Rhoda Grant, supporting Laura Hansler of the A9 Dual Action Group on her petition. I commend Laura and all her colleagues for all the work that they have done in getting thousands of people to sign the petition to support dualling of the A9.

What came out of the Citizen Participation and Public Petitions Committee's hearing is that there needs to be a proper parliamentary inquiry into what has gone wrong on the A9. That inquiry needs to look into the tendering process in order to understand why the Tomatin to Moy section attracted only one bidder. Why was working with the Scottish Government so unattractive to contractors that only one company was prepared to come forward and bid? We need to understand that.

Two weeks ago, Fergus Ewing, who is not here today, made some very good points in the chamber about why he thought that that might have been the case. I do not know whether he is right. We need to investigate that to understand what has gone wrong with the tendering process, but we also need an inquiry into what would be a realistic timescale for completion of the works in question, because it is essential that that happen.

I hope that such a parliamentary inquiry will be carried out—maybe the Net Zero, Energy and Transport Committee or the Citizen Participation and Public Petitions Committee will consider doing that—but, for now, we face a vote on our motion, which calls for urgent action. I know that Opposition parties will support us in the vote. We will support the Labour amendment, and we would have supported the Liberal Democrat amendment, had it been selected for debate.

I say to SNP members that it is time for them to stand up for their constituents, as Neil Bibby and Jamie Halcro Johnston argued. Fergus Ewing has been vocal on the issue. He is not here today—I know that he has a medical appointment. Perhaps he can vote remotely. If he had been here, perhaps he would have voted with us.

I will finish where I started. Last year, there were 12 deaths on the single-carriageway sections of the A9: they were avoidable. I am afraid that there will be more deaths this year, next year and every year after until the dual carriageway is completed. Those deaths will be deaths of our constituents. They might be deaths of our friends, members of our families or—perish the thought—even one of us.

I say to SNP members: stand with us, ditch the Greens and put your country and your constituents before your party interests. Show some courage, support our motion and save lives.

Shark Fins Bill

17:12

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of motion S6M-07983, which is a legislative consent motion on the Shark Fins Bill, which is a piece of United Kingdom legislation. I invite Mairi Gougeon to move the motion.

Motion moved,

That the Parliament agrees that the relevant provisions of the Shark Fins Bill, introduced in the House of Commons on 15 June 2022, and as amended at its committee stage on 16 November 2022, relating to shark finning, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.—[*Mairi Gougeon*]

The Presiding Officer: The question on the motion will be put at decision time.

Business Motion

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-07994, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme. I invite George Adam to move the motion.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 28 February 2023

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Economy and Fair Work Committee Debate: Retail and Town Centres in Scotland

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 1 March 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture; Justice and Veterans

followed by Scottish Government Debate: Local Government Finance (Scotland) Order 2023

followed by Scottish Government Debate: Dementia Strategy

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 2 March 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Education and Skills

followed by Ministerial Statement: Caledonian Sleeper Train

followed by Scottish Government Debate: Arctic

Connections – Scotland's Growing Links with the Arctic

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 7 March 2023

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 8 March 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Finance and the Economy

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 9 March 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Net Zero, Energy and Transport

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 27 February 2023, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[George Adam]

17:13

Stephen Kerr (Central Scotland) (Con): I know that we had a topical question on the subject of the insertion that I wish to make into next

week's business, on the teachers strike, but I think that members will readily agree that there is a dramatic difference in terms of accountability between a topical question and a ministerial statement.

We face a further 20 days of rolling strikes, which will take place across Scotland from 13 to 21 March, and, of course, there will be two days of national strikes next week. Between 22 February and 24 February, specific action will be taken in the constituencies of the current First Minister, the Deputy First Minister, the Cabinet Secretary for Education and Skills and the Scottish Greens' education spokesperson, and in the council ward of the Convention of Scottish Local Authorities resources spokesperson. My colleague Alexander Burnett has requested a statement on the subject, but his request has been flatly turned down by the Minister for Parliamentary Business.

Last week, a new offer from the Scottish Negotiating Committee for Teachers was rejected by the Educational Institute of Scotland. That offer was made at the behest of the Scottish Government. Let us be frank. I think that we might all agree that it was disrespectful to the EIS and to the teachers of Scotland that the details of that offer were leaked even before it had been presented to the EIS. That is hardly the way to build trust and confidence in what is already a strained and stressed negotiation situation. The cabinet secretary should come to the chamber, make a statement on the current dispute, face questions and give answers on her accountability.

This morning, the cabinet secretary appeared before the Education, Children and Young People Committee, where she disclosed that there will be a £123 million hole in the 2023-24 education and skills budget. When asked in what budget lines, in her remit, the cuts would be made, she said that she did not know. I think that that is frankly irresponsible; she should have been able to answer that question. It should concern every member of Parliament that there is a further £123 million cut to be made to education and skills. That is another reason why the cabinet secretary should make a statement to the chamber and be questioned by members of Parliament on all sides.

We should be getting answers from the cabinet secretary. I know that she likes to treat me to a little homily about how difficult it is to be in government and to have to make difficult decisions, but that is the nature of government. The cabinet secretary should explain herself and her policy on the matter to the chamber.

Ensuring that this Parliament is respected, informed and able to do its job of scrutinising the education secretary and, indeed, other Cabinet members is, I believe, essential. I urge members—in the same spirit with which my

colleague Murdo Fraser concluded his speech a few moments ago—to vote for the amendment to bring the cabinet secretary to the chamber and allow her, as I am sure that she is more than capable of doing, to explain what she is going to do to end these strikes and exactly how and where she will make further cuts to the education and skills budget next year.

The strikes affect us all. They are impacting on parents, children and teachers. We are getting very close to exams, and the impact that the ongoing strikes might have on exams is quite worrying. The exams timetable is at risk and there is a risk of a boycott of marking exam papers, which is being touted by teachers' representatives.

A statement from the Cabinet Secretary for Education and Skills is essential, and it is essential that it is heard in the chamber as soon as possible, which I think means next week.

I move amendment S6M-07994.1, to insert, after first "followed by Topical Questions (if selected)":

"followed by Ministerial Statement: Teacher Strikes".

The Minister for Transport (Jenny Gilruth):

On a point of order, Presiding Officer. In the debate on A9 dualling, in response to Mr Halcro Johnston's question on when ministers were first informed about the move from the 2025 deadline, I said late December. The actual date was 7 December, and I wanted to put that on the record.

The Presiding Officer: That is not a point of order but it is on the record.

I call George Adam to respond on behalf of the Parliamentary Bureau.

17:18

The Minister for Parliamentary Business (George Adam):

I take this and every issue that we discuss in the chamber very seriously, as do my colleagues in the Government. It is unhelpful when we constantly hear from Opposition members that there is disrespect to the Parliament, because nothing could be further from the truth. The Scottish Government respects this Parliament, and others should treat this institution in the same manner.

Part of that means that, when we are talking about the interaction between cabinet secretaries, ministers and members over the period, we should be respectful to one another, as you are constantly telling us, Presiding Officer, and not come here at 5 o'clock at night—

Neil Bibby (West Scotland) (Lab): Will the member take an intervention?

George Adam: Yes, I would be quite happy to.

Neil Bibby: I agree that we need respect one another and Parliament, but we also need to respect teachers and parents. They are looking for answers on what the Government is doing to resolve the dispute, and that is the most important thing.

George Adam: As I said, I take these issues seriously, along with everything else that we discuss in the chamber.

To get back to what I was saying, we talk about the interaction between ministers and committees, but people coming to the chamber later on and putting across what they believe was said is not really fair or helpful with regard to the scrutiny of Government or the ability of the Government to put forward its position.

I want to talk about the information before us, much of which Mr Kerr has already mentioned. There is a simple explanation for why there is no need for a statement next week. As Mr Kerr noted, yesterday, the Cabinet Secretary for Education and Skills responded to a topical question in the chamber and, this morning, she appeared at the Education, Children and Young People Committee to give evidence on teachers' pay. The fact that Mr Kerr never got the questions answered that he wanted is perhaps more down to Mr Kerr than anyone else.

Discussions are on-going with union and local government partners to resolve the dispute, and we hope to deliver a fair and affordable settlement for teachers in the very near future. Any statement at this stage could influence sensitive negotiations that are now at a critical stage. That feeds into what Mr Bibby said about being mindful of teachers and members of the public.

This is a sensitive situation and we are at a sensitive time in the negotiations. To accept Mr Kerr's amendment would be irresponsible.

The Presiding Officer: The question is, that amendment S6M-07994.1, in the name of Stephen Kerr, which seeks to amend business motion S6M-07994, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

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

17:21

Meeting suspended.

17:23

On resuming—

The Presiding Officer: We move to the vote on amendment S6M-07994.1, in the name of Stephen Kerr. Members should cast their votes now.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 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)
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 57, Against 66, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that business motion S6M-07994, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme, be agreed to.

Motion agreed to.

Parliamentary Bureau Motions

17:25

The Presiding Officer (Alison Johnstone): The next item of business is consideration of Parliamentary Bureau motion S6M-07995, on designation of a lead committee.

Motion moved,

That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the supplementary legislative consent memorandum in relation to the Energy Bill (UK Legislation).—[George Adam]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

17:26

The Presiding Officer (Alison Johnstone): There are eight questions to be put as a result of today's business. The first question is, that amendment S6M-07975.2, in the name of Lorna Slater, which seeks to amend S6M-07975, in the name of Maurice Golden, on launching a successful deposit return scheme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 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)
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)

Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)

Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on amendment S6M-07975.2, in the name of Lorna Slater, is: For 65, Against 58, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S6M-07975.1, in the name of Colin Smyth, which seeks to amend S6M-07975, in the name of Maurice Golden, on launching a successful deposit return scheme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)

Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 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)
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)

Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-07975.1, in the name of Colin Smyth, is: For 58, Against 65, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The question is, that motion S6M-07975, in the name of Maurice Golden, on launching a successful deposit return scheme, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 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)
 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)

(SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)

Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-07975, in the name of Maurice Golden, on launching a successful deposit return scheme, as amended, is: For 65, Against 58, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament believes that a Deposit Return Scheme (DRS) can make a positive contribution to increasing the rate of recycling and reducing litter for drinks containers; recognises that the Deposit and Return Scheme for Scotland Regulations 2020, which establish the approach and structure of Scotland's DRS, were agreed by the Parliament in May 2020; welcomes the recent progress made by Circularity Scotland, SEPA, the Scottish Government and the UK Government in finalising the key operational elements of the scheme; further welcomes the package of measures recently announced by Circularity Scotland to support producers; notes that the most recent review in October 2022 concluded that 'the DRS Programme has gained increased momentum and is in a much improved position'; understands that Scotland's DRS will make an important contribution to cutting climate emissions, and calls on the Scottish Government to continue to take a pragmatic approach to implementation, working with industry to identify and address concerns.

The Presiding Officer: The question is, that amendment S6M-07977.3, in the name of Jenny Gilruth, which seeks to amend motion S6M-07977, in the name of Graham Simpson, on A9 dualling, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)

FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 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)
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)

Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on amendment S6M-07977.3, in the name of Jenny Gilruth, is: For 65, Against 57, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The question is, that amendment S6M-07977.1, in the name of Neil Bibby, which seeks to amend motion S6M-07977, in the name of Graham Simpson, on A9 dualling, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)

Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)

Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 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)
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-07977.1, in the name of Neil Bibby, is: For 57, Against 65, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-07977, in the name of Graham Simpson, on A9 dualling, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 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)
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)

Ewing, Fergus (Inverness and Nairn) (SNP)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-07977, in the name of Graham Simpson, on A9 dualling, as amended, is: For 65, Against 58, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament acknowledges the significant investment by the Scottish Government in sustainable transport infrastructure in the Highlands, including the £330 million enhancements to the Inverness to Aberdeen railway line, the £57 million upgrade of the Highland Main Line between Perth and Inverness, the new £42 million Inverness Airport train station, passing loop and signalling, and over £430 million invested to date on dualling the A9 between Perth and Inverness; notes the progress on dualling this part of the A9, including the opening of two sections, as well as the confirmation by the Scottish Ministers that the statutory process for a further eight sections will be completed; is concerned by the impact of Brexit and the UK Government's economic mismanagement, which have caused increased labour and material costs, on the A9 dualling programme, including the Tomatin to Moy project; welcomes the intention of the Scottish Government to engage further with the relevant local members on the A9 dualling programme and to set out a renewed timescale for completion of the dualling

programme to the Parliament later in 2023, and further welcomes the early progress being made on the £5 million package of short-term measures to make the A9 safer for all road users.

The Presiding Officer: The next question is, that motion S6M-07983, in the name of Mairi Gougeon, which is a legislative consent motion on the Shark Fins Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament agrees that the relevant provisions of the Shark Fins Bill, introduced in the House of Commons on 15 June 2022, and as amended at its committee stage on 16 November 2022, relating to shark finning, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

The Presiding Officer: The final question is, that motion S6M-07995, in the name of George Adam, on behalf of the Parliamentary Bureau, on designation of a lead committee, be agreed to.

Motion agreed to,

That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the supplementary legislative consent memorandum in relation to the Energy Bill (UK Legislation).

The Presiding Officer: That concludes decision time.

Special Tribunal on Russian Aggression in Ukraine

The Deputy Presiding Officer (Annabelle Ewing): The final item of business is a members' business debate on motion S6M-07345, in the name of Jenni Minto, on a special tribunal on Russian aggression in Ukraine. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the support, including among people in the Argyll and Bute constituency, for efforts to seek justice and accountability for the reported atrocities committed by Russian troops during their invasion of Ukraine, as well as for what it sees as the crime of the war itself; considers that the decision by the Russian Federation to launch attacks on Ukraine poses a grave challenge to the post-1945 international order; believes that, in line with international law, the invasion has provided for individual criminal responsibility for those who plan, initiate or execute wars of aggression; notes the support for the ongoing investigations into Russia's military invasion of Ukraine, including those before the International Court of Justice, International Criminal Court and European Court of Human Rights; further notes the calls for the establishment of an ad hoc special tribunal with a mandate to investigate and prosecute the crime of aggression allegedly committed by the political and military leadership of the Russian Federation; notes the suggestions to apply the definition of the crime of aggression based on Article 8 *bis* of the Rome Statute; further notes the calls for guarantees that accountability will extend to government and political officials; welcomes the reported exercise of jurisdiction by the International Criminal Court over war crimes, crimes against humanity, and attempted genocide on the territory of Ukraine; considers that Russian co-operation with such a trial may be one key metric by which we can judge that Europe is on a path towards peace; believes that a Ukrainian victory is necessary for the integrity of the international system, as are, it considers, justice and accountability for Russian crimes, and notes the view that accountability for the crime of aggression against Ukraine must be secured.

17:39

Jenni Minto (Argyll and Bute) (SNP): The Czech writer Milan Kundera, in "The Book of Laughter and Forgetting", wrote:

"The first step in liquidating a people is to erase its memory. Destroy its books, its culture, its history. Then have someone write new books, manufacture a new culture, invent a new history. Before long the nation will begin to forget what it is and what it was. The world around it will forget even faster".

The international community must not allow that to happen to Ukraine.

I thank every member who has supported my motion and those who will speak in the debate. I highlight the work that my colleague Stewart McDonald MP has done, and continues to do, for Ukraine.

The motion supports

“the calls for the establishment of an ad hoc special tribunal with a mandate to investigate and prosecute the crime of aggression allegedly committed by the political and military leadership of the Russian Federation”

in their illegal and despicable invasion of Ukraine.

I am proud to note that Scotland and its Government and Parliament have already sought to step up to the mark in this Europe-wide crisis, with the limited powers at their disposal, by welcoming more than 23,000 displaced Ukrainians, largely through the supersponsor scheme; supplying millions in humanitarian, medical and military aid; and providing a platform for Ukrainian culture.

One year on from the time when Russian planes were in the air over Kyiv and Russian tanks invaded a sovereign state in an act of aggression, I hope that the Scottish Parliament will add Scotland’s voice to those of the European Parliament and others by supporting the motion.

Watching the news on Monday evening and seeing President Biden walking in step with President Zelenskyy across the cobbles in Kyiv was something to behold. It has been compared with the speeches from both Kennedy and Reagan at the Berlin wall. Biden said:

“one year later, Kyiv stands and Ukraine stands. Democracy stands”.

Like several MSPs, I visited the MS Victoria in Leith, and one memory stands out to me. On my phone, I have a photo of a picture that was drawn by one of the young people on the ship. It depicts a beautiful young woman in a pink gown and high heels, dressed as though she is ready to go to a party, but instead of a handbag she is carrying an assault rifle, which is firing at a Russian tank emblazoned with a “Z”.

In Crimea, hundreds of Ukrainian children aged between six and 16 from the Kharkiv region have been stuck in Russian camps for weeks or, in some cases, months. In videos, children can be seen in a school playground in Crimea singing the Russian national anthem. Most appear not to know the words.

In Kherson, a large lime-green cuddly toy marks the spot where a child was killed by Russian shelling while walking along the road. In Scotland, children are safe, but they have been torn out of their homes, their communities and their country. In Crimea, children have been forcibly separated from their families and are being taught the history and customs of another state. In Ukraine, countless children have been killed.

Speaking at the Munich Security Conference last week, the US Vice-President, Kamala Harris, said:

“In the case of Russia’s actions in Ukraine, we have examined the evidence, we know the legal standards, and there is no doubt: these are crimes against humanity.”

She went on to say:

“And I say to all those who have perpetrated these crimes, and to their superiors who are complicit in those crimes—you will be held to account”.

A crime of aggression is the planning, initiation or execution of a large-scale and serious act of aggression using state military force. Crimes against humanity are considered to be among the most serious offences under the rules of war. Those laws ban attacks on civilians, or infrastructure vital to their survival, and are set out in international treaties. For example, in Ukraine, numerous missile and drone attacks in October and November deprived millions of citizens of at least temporary access to electricity, water, heat and related vital services ahead of the cold winter months.

According to the United Nations Office for the Coordination of Humanitarian Affairs, attacks on 23 November killed or injured more than 30 civilians and interrupted access to power for millions throughout Ukraine. The UN said that the entire population of Kyiv had no access to water for the day and that parts of the Kyiv, Lviv, and Odesa regions were completely disconnected from electricity.

Yulia Gorbunova, senior Ukraine researcher at Human Rights Watch, said:

“By repeatedly targeting critical energy infrastructure knowing this will deprive civilians of access to water, heat, and health services, Russia appears to be seeking unlawfully to create terror among civilians and make life unsustainable for them”.

She went on to say:

“With the coldest winter temperatures yet to come, conditions will become more life-threatening while Russia seems intent on making life untenable for as many Ukrainian civilians as possible.”

Since the beginning of the invasion, the World Health Organization has reported more than 600 attacks on healthcare facilities, personnel and transport in Ukraine, which have killed at least 100 people. In one of the most notorious attacks, Russian bombs destroyed a children’s and maternity hospital in Mariupol on 9 March 2022, injuring dozens of people and killing four, including a pregnant woman and her baby. That attack was justified by the Russians as the hospital had a supposed presence of Ukrainian armed forces, but the Organization for Security and Co-operation in Europe concluded, in a fact-finding report, that the air strike was a war crime. Ukraine’s first lady, Olena Zelenska, said of that attack:

“Horrible pain. We will never forget and never forgive”.

Aggression is one of the core crimes in international criminal law, alongside genocide, crimes against humanity, and war crimes. In 1946, the International Military Tribunal ruled that aggression was

“the supreme international crime”

because

“it contains within itself the accumulated evil of the whole.”

A crime of aggression is a crime against peace.

In 1991, Ukrainians voted overwhelmingly for independence. Ukraine, as its national anthem proclaims, did not die. The international community cannot stand aside to let the aggressor win.

Slava Ukraini! [*Applause.*]

17:46

Collette Stevenson (East Kilbride) (SNP): I am grateful to Jenni Minto for bringing the debate to the chamber, especially since this Friday marks one year since Russia’s full-scale, illegal invasion of Ukraine. As we reflect on the anniversary, we should reiterate our solidarity with, and our support for, Ukraine and its people.

Millions have had to flee their homes, and tens of thousands of people have been killed. The aggression that Russia has committed against Ukraine, in particular in the past 12 months, has rightfully been condemned, but people must be held accountable, too.

Article 8 *bis* of the Rome Statute of the International Criminal Court defines “an act of aggression” as

“the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State”;

and a “crime of aggression” as

“the planning, preparation, initiation or execution, by a person”

exercising control over the

“military action of a State, of an act of aggression which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations.”

As Jenni Minto set out, there have been calls for the establishment of an ad hoc special tribunal to investigate whether Russia’s political and military leadership have committed the crime of aggression, and to prosecute when that is so.

That would be in addition to the several ongoing investigations into Russia’s conduct in Ukraine, including at the International Court of Justice, the International Criminal Court and the European Court of Human Rights. Of course,

some of the alleged crimes that have been reported pre-date the February 2022 invasion.

Putin’s invasion has led to the deaths not only of brave Ukrainian soldiers protecting their country, but of many civilians. Last week’s figures from the United Nations Office of the High Commissioner for Human Rights showed that there have been about 19,000 confirmed civilian casualties in Ukraine, with 7,199 civilians killed. The true figure is probably much higher.

The war has also forced millions of Ukrainians from their homes into safer parts of the country, to neighbours such as Poland and even as far as these isles. Indeed, this is the largest refugee crisis and forced movement of people across Europe since the second world war. It is absolutely right that Europe is united in its opposition to Putin’s actions and that countries do everything that they can to support refugees who are fleeing from terror.

Last night’s event in the Parliament, “Postcards from Ukraine”, highlighted the cultural damage of Russia’s invasion, including the destruction of heritage sites, and reinforced the need for other countries to give solidarity and support to the Ukrainians to fight against Putin and preserve their democracy and culture.

I hope that we see a Ukrainian victory. That is the best outcome for Ukraine as well as for longer-term peace and stability in Europe. Putin’s illegal invasion has rightly seen him and his cronies sanctioned. His Government is ever more isolated on the world stage. However, justice must also be served. A special tribunal on Russian aggression in Ukraine would help to do that by investigating the actions that have been committed under Putin and his generals during this illegal war and prosecuting those responsible for war crimes, crimes against civilians and, possibly, attempted genocide. Accountability for the crime of aggression against Ukraine must be secured.

17:50

Alexander Burnett (Aberdeenshire West) (Con): I thank Jenni Minto for securing this important debate on the appalling Russian aggression in Ukraine.

I declare an interest, given my personal support for a Ukrainian couple who arrived in Aberdeenshire last year. I am delighted to recognise Aberdeenshire’s contribution as one of the largest host local authorities in Scotland, with over 220 refugees.

The Ukrainian war led to a flood of people in the United Kingdom sharing solidarity with the people of Ukraine. It was heartening to see people wanting to offer support, from donating money for

efforts on the ground to sending supplies to ensure that people had access to food, toiletries and clothes. It was also truly inspiring to see how many people participated in the UK Government's homes for Ukraine scheme to help those who were displaced. I was also pleased to assist constituents with the Ukraine family scheme and to have helped to support uniting a family and giving a child a new start for a better future.

Russia's invasion of Ukraine is abhorrent. The Russians' lies and deception have been predominant in destabilising an international response to de-escalate tensions.

Although the debate and this week's activities are rightly about Ukraine, we should not lose sight of the people in neighbouring countries who are assisting Putin's agenda and committing their own breaches of international law. President Lukashenko in Belarus should be equally aware that the world is watching and will not stop until political prisoners such as Maksim Imkhavik are freed. I know that other colleagues here and from Parliaments across Europe have become symbolic godparents to those unlawfully detained.

Since the start of the war a year ago, Ukraine has shown remarkable bravery in its continuing efforts to protect its sovereignty. Earlier this month, in the UK-Ukraine joint declaration that was signed during President Zelenskyy's visit, we affirmed our commitment to support the people of Ukraine in their fight for liberation from Russian aggression. I stand with others in calling for Russia to end the war now to protect the lives of thousands of Ukrainians from needless violence.

We are proud to be the largest supplier of military aid to Ukraine after the United States and have worked with Ukraine to help train forces and develop their longer-term capabilities. The UK's military, humanitarian and economic support to Ukraine since the invasion has reached nearly £4 billion and more than 1,200 Russian individuals and 120 entities have been sanctioned since the invasion.

We are working with international organisations to defend the principles in the UN charter. Through several investigations by the prosecutor general of Ukraine and the UN, it is clear that Russia is responsible for human rights violations carried out in Ukraine. The annexation of Ukrainian territory has been called a violation of international law, and the UK Government is committed to ensuring that Russia's leaders are held accountable for their atrocities. In March, justice ministers from across the world will meet in London to support the International Criminal Court investigating the alleged war crimes in Ukraine.

A national minute's silence will take place at 11am this Friday, to mark one year since Russia's

invasion of Ukraine. I know that I speak for many people when I say that I hope to see peace restored in Ukraine. That can be achieved only by Ukraine's regaining its territorial integrity and justice being delivered for all of those who have suffered.

17:54

Sarah Boyack (Lothian) (Lab): I thank Jenni Minto for bringing the debate to the chamber and for her passionate speech, which reminds us that the issue is about the people of Ukraine and what they have experienced over the past year.

Collette Stevenson was right to talk about the "Postcards from Ukraine" event last night. It was incredibly moving to hear about the fact that more than 500 historical and archaeological sites have been bombed in an attempt to wipe out Ukrainian culture.

Last night's "Panorama" documentary, which was incredibly moving, used individual war diaries to show how horrific and hellish the situation is for people.

In June last year, the United Nations Security Council convened a meeting 20 years on from the establishment of the International Criminal Court, which was funded to deliver the Rome statute and aimed to deliver international criminal justice and accountability. At that meeting, the UK noted that an ICC investigation was already under way, with the largest referral in history.

Prosecutorial powers are key. Ukrainian authorities, teams sent by Eurojust and several European countries, including France, have documented Russia's crimes, but we need to make sure that action is taken following that evidence gathering. It not enough just to gather evidence. If we look at Syria, for example, the United Nations General Assembly had an international, impartial and independent mechanism that documents crimes committed by the Assad regime and ISIS. Without prosecutorial powers, however, we cannot bring people to justice. We need to hold Russia and its allies accountable for the atrocities that are being committed by Russia's political and military leadership.

It was important that, last week, members of the European Parliament urged the European Union, in close co-operation with Ukraine and the international community, to push for the creation of a special international tribunal to prosecute Putin, his military leadership and his allies. The European Parliament emphasised that the EU's preparatory work should begin immediately, and when the process begins, we must ensure that the UK is present, supporting our European and Ukrainian counterparts throughout the process,

and using our knowledge and resources to ensure that war crimes do not go unpunished.

In an attempt to reverse the current trend and restore credibility to the founding principles of the United Nations charter, the establishment of an ad hoc special tribunal would send a clear message to Russia and the world that use of force is prohibited in international relations between states. We should not just condemn it; we must make sure that international perpetrators of violence, war crimes and possible crimes against humanity are brought to justice.

Gordon Brown wrote

“It is high time that the world took the fight to Putin and his enablers.

The UK and US must act quickly both for Ukraine’s sake and to honour the legacy of the Nuremberg trials when the free world stood its ground and ensured war criminals were held accountable.”

Those are words to stand by. If we do not get it right this time, the world will face the risk of history being repeated. It is important that we acknowledge that the Prosecutor General of Ukraine, Andriy Kostin, has said that his office has 65,000 registered incidents of war crimes. We need a legal mechanism. We need action, and we need justice because of the act of aggression that began when Russian forces invaded Ukraine last year.

We know that our world leaders, European leaders and the German foreign minister Annalena Baerbock has asked for the establishment of a special tribunal, and it is important that we debate that issue in our Parliament today. It is right that the UK has accepted Ukraine’s invitation to join the coalition, because that will bring legal expertise from right across the UK to the table and ensure that Russia’s leaders are held accountable for their actions.

As Jenni Minto’s motion says,

“a Ukrainian victory is necessary for the integrity of the international system, as are ... justice and accountability for Russian crimes, and ... accountability for the crime of aggression against Ukraine must be secured.”

We need to stand in solidarity with the people of Ukraine, stand up for democracy, deliver justice, do the work that Alexander Burnett talked about and support people in our homes and communities across Scotland, but there also needs to be accountability for those who have led the aggression against Ukraine and its people, and that is why we need to be unanimous in supporting the motion tonight.

17:59

Stephen Kerr (Central Scotland) (Con): I congratulate Jenni Minto not only on the motion

but on her excellent and very moving speech. I completely agree with Collette Stevenson that we absolutely must see Ukraine prevail against this aggression, otherwise there is no hope or future in any kind of rules-based world order.

I declare an interest that people will not read in my register of interests; it is one that I wear as a badge of pride—indeed, of honour. I am one of about 300 British politicians to have been sanctioned by name by the Kremlin, along with my friend Douglas Ross and, I believe, the First Minister—maybe Angus Robertson, too, although I do not know.

Let me be blunt: this war is not

“a quarrel in a far-away country between people of whom we know nothing”.

Those infamous words do not apply here. The Ukrainians are our near neighbours and we should not let the war slip from our collective line of vision or from our very consciousness.

There is a risk that that is happening already. There was hardly a mention of Ukraine in yesterday’s stage 3 budget debate—a budget set in the context of the global economic impact of Putin’s criminal aggression. That does not speak well of the level of our collective debate or our willingness to keep the war that is raging on our continent at the forefront of our minds. We are kidding ourselves if we think for one moment that we can talk about solidarity with the people of Ukraine and the raw courage of President Zelenskyy and not acknowledge the cost of that support, because it is real.

I am not just talking about the inflationary shock, the effects of which are felt in a global cost of living crisis whose impact we are rightly and collectively attempting to mitigate, especially in respect of the most vulnerable in our society, but about the military material, practical support and training that our armed forces are giving the Ukrainians to equip them with the latest weapon systems in order that they are able to defend themselves.

I must of course mention, too, as did my friend Alexander Burnett, the compassionate support that we are rightly extending to the Ukrainian people who are now living in our homes and among us as our guests. We should remain resolute in the support that we have collectively pledged to Ukraine and in respect of what the UK Government is doing to bolster the Ukrainian war effort as Ukrainians heroically resist the violence that is meted out by Vladimir Putin.

Today, I want to strike a note of caution, because the people of Russia are very close to the hearts of my family. It is right that we continue to talk explicitly about Vladimir Putin and his grisly

gang in the Kremlin, and it is right that those crimes are continuously highlighted so that we in the west remember why the people of Ukraine are fighting for their freedom and why we must support them. However, we must differentiate, and beware of giving in to Russophobia, as many of the people of Russia are as appalled as we are with Putin's gangsterism. Putin is manipulating a whole nation and distorting reality for its people by shutting down independent media outlets, crushing dissent and even murdering his opponents. The Russian people are being lied to.

The Kremlin will be listening to—and no doubt cataloguing—what we say in the chamber tonight. We should make it perfectly clear that we condemn Vladimir Putin and his crimes and demand that he be brought to justice. We want the Russian people to know exactly what is going on—what is happening to their husbands, sons and brothers in the killing fields of eastern Ukraine. As parliamentarians, we have a special responsibility to make it clear, and repeatedly so, that Putin's invasion—because that is what it is—and occupation of Crimea is illegal, and a violation of the sovereign territory of Ukraine.

Putin should be held to account for the illegal downing of the Malaysia Airlines flight MH17. He was at least complicit in—if not downright guilty of—mass murder. It is Putin who ordered the illegal bombardment of civilian areas, the illegal torturing of prisoners and the use of illegal weapons in Ukraine. The horrors that we have seen over the past eight years are down to him. Vladimir Vladimirovich Putin will one day have to answer for his crimes.

18:04

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): In the spirit of the previous speech, perhaps I should declare an interest as a fellow member of the Scottish Parliament proudly sanctioned by the Putin regime.

I note the support of Jenni Minto's constituents in Argyll and Bute and, indeed, the support of people across Scotland in seeking justice and accountability for Russia's war against Ukraine, and I commend the contributions by Jenni Minto, Collette Stevenson, Alexander Burnett, Sarah Boyack and Stephen Kerr.

Let me be clear at the outset: Scotland utterly condemns Russia's barbaric and illegal war against Ukraine and its people. From the very outset of Russia's full-scale invasion of Ukraine, the Scottish Government, all parties in the Scottish Parliament, our local authorities, our community organisations and Scottish families have supported Ukraine and Ukrainians. We

successfully lobbied the UK Government to agree to a supersponsor scheme and provided £7 million-worth of support in cash and in kind for basic humanitarian assistance in respect of health, water, sanitation and shelter for people fleeing Ukraine.

We are appalled by the reports of atrocities in Ukraine. Intentionally directing missile attacks against civilians and civilian objects constitutes a war crime. Two weeks ago, President Zelenskyy stood on the steps of Westminster Hall and spoke of "a coalition of values" where justice must prevail. I agree with him, as I am sure all colleagues who have spoken in the debate do.

Russia's illegal war against Ukraine reminds us how fragile the post-1945 rules-based international order remains and how real the threat to global peace and human rights is. For my generation, the prospect of war on such a scale returning to Europe seemed unthinkable until Russia's full-scale invasion 12 months ago.

The Scottish Government agrees that those responsible for atrocities committed in Ukraine, including military commanders and other individuals in the Putin regime, must be held accountable. We support the action of the United Kingdom and 42 other countries in referring atrocities committed in Ukraine to the International Criminal Court. The ICC investigation is under way, and we call on all nations to assist it.

The Scottish Government also supports Ukraine's application to institute proceedings against the Russian Federation before the International Court of Justice under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. I agree with the President of the European Commission, who emphasised in Kyiv recently the importance of justice, and I welcome her intent to co-ordinate the collection of evidence via an international centre for the prosecution of the crime of aggression in Ukraine in The Hague.

Stephen Kerr: Does Angus Robertson join me in hoping that the European Union will rein in Hungary, Slovenia, Greece, Bulgaria and Spain, which are now importing more Russian products than they were before the invasion? Surely he would agree that that is to be regretted. The UK has barred 97 per cent of all Russian imports. Those countries are increasing their imports.

Angus Robertson: There should be no let-up in Europe or anywhere else in measures that are aimed at forcing the Russian regime to withdraw its forces from Ukraine.

Scotland has always understood and valued the rule of law at home within its distinct and respected legal system. Our judiciary and lawyers have also played their part on the international

stage, and they continue to do so. Many Scottish judges and lawyers in the solicitor and advocate branches of the profession have worked in, and have experience of, the ICC or ad hoc courts and tribunals—for example, Lord Bonomy sat as a judge at the International Criminal Tribunal for the former Yugoslavia. Despite having been expelled from the Council of Europe in March, Russia remains accountable in the European Court of Human Rights for human rights violations committed during much of the past year.

Ukraine has proposed the creation of a new special tribunal on the crime of aggression to ensure that Russia's civilian and military leaderships are held to account for the decision to illegally invade Ukraine.

I note that a core group of nations has been established to pursue criminal accountability for Russia's illegal invasion of Ukraine, and the Scottish Government supports the aim of the group: to create a mechanism that ensures that Russia's leaders are fully held to account for their actions—a point that was highlighted by Sarah Boyack a few moments ago. There can be no route back to normality or rehabilitation for the Russian Federation unless it complies in full with the judgments issued against it by the relevant international courts.

It is now almost a year since Russia launched its full-scale war against Ukraine; it is some nine years since its first wave of aggression, when it seized Crimea and installed puppet regimes in the Donbas. The international community's response then proved insufficient in deterring Putin from further violent expansionism. The Ukrainian people's courage has been extraordinary, and Ukraine's armed forces have shown that, if they are given the tools, they can defeat Russia—and defeat Russia they must.

History shows that allowing aggressors to commit crimes against their own people and against their neighbours leads to greater suffering. The Russian regime is all too ready to display brutal disregard for human life and human dignity, both at home and abroad. The international community must keep supporting Ukraine to help it win the war, and Scotland will continue to play its part. We will ensure that our companies and institutions uphold sanctions against Russia, we will continue to provide a home for displaced Ukrainians for as long as they need it, and we will always raise our voices to support Ukraine's sovereignty and independence.

We will continue to provide as much as we can to support the Ukrainian people and the war effort. That is essential, both for Ukraine itself and for longer-term peace and stability in Europe.

As President Zelenskyy said in his address to the European Parliament in Brussels,

“This is our Europe, these are our rules, this is our way of life, and for Ukraine, it's a way home, a way to its home.”

Slava Ukraini! Heroyam slava!

Meeting closed at 18:12.

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