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Scottish Parliament

Thursday 27 June 2024

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. Our first item of business is general question time. Question 1 was not lodged.

Scottish National Investment Bank (Advisory Group)

2. Douglas Lumsden (North East Scotland) (Con): To ask the Scottish Government what its position is on whether the Scottish National Investment Bank is operating legally, in light of reports that the advisory group that was meant to be established by the Scottish ministers has not yet been established. (S6O-03646)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): Now that the bank is fully established and has a growing portfolio of investments, it is the right time for the advisory group to be established. I have already agreed a remit for the group and a shortlist of potential members. Officials are now contacting individuals with a view to the group's first meeting taking place this summer.

Douglas Lumsden: The bank was established in November 2020, and the legislation says:

"The Scottish Ministers must establish and maintain an advisory group to provide them with advice on the Bank's objects, conduct and performance."

Through a freedom of information request, I found out that the wage bill for the bank has almost doubled over the past two years, to a whopping £9.7 million. Cabinet secretary, when there is no advisory group in place to monitor the bank's conduct and performance, how can we be assured that the Scottish National Party has not created another gravy train?

The Presiding Officer: I remind the member always to speak through the chair.

Kate Forbes: The member will know that the Scottish National Investment Bank's individual decisions are all made entirely independently of the Scottish Government and that the advisory group is there to provide advice to ministers. The group has no impact on the bank's existing governance procedures or its operational independence. The member may be conflating two issues that are actually quite distinct.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): One core aim of the Scottish National Investment Bank is to make strategic investments to help boost green growth and meet the significant up-front costs of reaching net zero. Will the cabinet secretary say more about how the bank has been working to help Scotland decarbonise, while also growing the economy?

Kate Forbes: The figures regarding the bank's investments are really quite remarkable. Since its launch in November 2020, it has invested almost £278 million in supporting businesses and projects that contribute to the shift towards net zero. That investment has levered in a further £555 million of third-party capital, which brings the total investment to more than £830 million. I hope that that will be welcomed by members from across the chamber. The bank's investments have also generated approximately 2.25GW of renewable energy, which is the equivalent of powering 610 homes in a year.

Primary Care (Areas of Population Growth)

3. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government whether it will provide an update on what it is doing to ensure access to primary care in areas that have a high projected population growth. (S6O-03647)

The Cabinet Secretary for Health and Social Care (Neil Gray): The global sum allocation for each general practice is adjusted every quarter to account for changes in its registered patients list, and growing practices should therefore receive a greater share of national funding. The Scottish Government uplifts general medical services funding annually to account for population growth. In 2023-24, that uplift amounted to £8.3 million.

Because of the indicative figures for future years' capital budgets from Westminster, the Scottish Government has paused health capital projects. I am well aware of the particularly acute issues in Mr Beattie's constituency and I await the outcome of the cross-Government review of infrastructure investment.

Colin Beattie: Many of my constituents in areas such as Wallyford and Whitecraig have raised concerns about access to services because of financial pressures on the local health and social care partnership. Will the cabinet secretary give an update on the impact on health boards' capital budgets of financial constraints as a result of cuts by Westminster to the Scottish Government's capital budget? How will he support my constituents to receive the best possible primary care, as the population of Midlothian North and Musselburgh rises?

Neil Gray: I look forward to meeting Colin Beattie later this afternoon to discuss such areas. He is right that the United Kingdom Government did not inflation proof its capital budget. Based on the latest forecasts, our block grant for capital is expected to reduce in real terms by 8.7 per cent by 2027-28, which represents a cumulative loss of more than £1.3 billion. The result of that cut is that all new health capital projects have been paused.

Our emphasis for the immediate future will be on addressing backlog maintenance and essential equipment replacement to help to improve productivity. We will be able to give greater certainty on funding following the review of infrastructure investment that the Cabinet Secretary for Finance and Local Government is carrying out, but I am clear that I want as many as possible of those projects to advance for the continued recovery and improvement of our health services, including those in Midlothian North and Musselburgh.

Martin Whitfield (South Scotland) (Lab): Three weeks ago, I asked the Deputy First Minister—who is in her place in the chamber—about the funding situation in Prestonpans group practice. Prestonpans is an area that has experienced significant population growth, with a growing population in the surrounding areas, including Blindwells. Will the cabinet secretary update me on what is happening and when my constituents and I will be able to meet him to discuss the financial cuts?

Neil Gray: I am aware of the situation. We are in discussions with NHS Lothian on the issues that the member raises, and we have received assurances about some of the dispute resolution processes that it is looking to put in place. However, I am cognisant of the challenge that many GP practices have faced as a result. I know that Mr Whitfield has written to me on the matter and I will endeavour to get an appointment in the diary as soon as possible to have that discussion with him.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): The cabinet secretary will appreciate that the population of my constituency is growing rapidly and significantly. In recent years, I have raised the possibility of creating a GP surgery at Ocean Terminal in Leith in order to meet new demand for GP practices in the area. That would likely have a lower cost than building new premises, and Ocean Terminal has recently been a very successful vaccination centre. I would be grateful if the cabinet secretary, working with the health and social care partnership, gave that idea further consideration.

Neil Gray: I am acutely aware of the pressures that exist on services across Edinburgh, including those in Mr Macpherson's constituency. I know

that he has raised the issue on a number of occasions, including with my predecessor, and I am grateful for his continued efforts in that regard.

As Mr Macpherson knows, it is for NHS Lothian and Edinburgh health and social care partnership to decide whether new GP practices are needed in his constituency as a result of new developments or whether existing practices can expand. I am aware that access to services is an acute issue in Mr Macpherson's constituency—as it is in Mr Beattie's constituency, as we have just heard. In principle, we would support the use of facilities such as Ocean Terminal for new practices, but the decision is ultimately for the health board and the partnership to take.

Emergency Departments

4. Alexander Stewart (Mid Scotland and Fife) (Con): To ask the Scottish Government what it is doing to tackle any inappropriate care and overcrowding in national health service emergency departments. (S6O-03648)

The Cabinet Secretary for Health and Social Care (Neil Gray): The Government is committed to ensuring that the people of Scotland can access NHS services that meet their needs and provide the highest standard of care. Through our whole-system urgent and unscheduled care collaborative programme, we are working with health boards to reduce accident and emergency delays and deliver sustained improvement. That includes actions to strengthen arrangements to avoid unnecessary hospital admissions, such as same-day emergency care services; utilising the hospital-at-home services that we have funded; and optimising flow navigation centres. The national centre for sustainable delivery continues to support boards to implement changes that will target the key challenges in their systems, such as the ones that Mr Stewart outlined.

Alexander Stewart: On an average evening at 10 pm, more than 10 per cent of patients across Scotland's emergency departments are being treated in corridors, because of a lack of space. Worryingly, more than half the emergency departments that were surveyed had patients in corridors. Delayed discharge also continues to be a concern. Last year, Shona Robison said:

"we remain ... committed to eradicating delayed discharge."—[*Official Report*, 21 September 2023; c 13.]

One year on, are we any further forward in giving back to patients the dignity and respect that they deserve?

Neil Gray: I agree with Mr Stewart that delayed discharge is a major issue. That is why the First Minister has been engaged alongside the Convention of Scottish Local Authorities and it is why I am undertaking weekly meetings of the

CRAG—the collaborative response and assurance group, which is the collaboration between COSLA and health services—to look at what more can be done, particularly in pressured areas where performance has not been good enough, in order to see improvements come through.

What are the challenges? What can the Government or the health service do to support improvements to the delayed discharge picture that is providing the choke, as Mr Stewart outlined, in the flow through the hospital from accident and emergency into the wards and then back into the community? I am committed to working in partnership with council colleagues to see improvements in that.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): I recognise that our hospitals face congestion because of the challenges that are associated with delayed discharge—which is due in part to the significant reduction in the workforce that delivers care packages in communities, as a result of the United Kingdom Government's immigration policy. Does the cabinet secretary agree that, notwithstanding the disastrous impact of Brexit on our health services—[*Interruption.*]—Scotland remains a welcoming place for overseas staff to work and live in?

Neil Gray: In spite of the heckles that came from Tory members, I whole-heartedly agree with Audrey Nicoll. She is absolutely right. This Government values those from overseas who choose to live and work in Scotland, which is quite in contrast to what we saw in the debates last night and previously from those who wish to become Prime Minister, who compete with each other to be toughest on migration. That does not serve the interests of our economy or our public services. People from overseas make a vital contribution to the soundness of our workplaces and communities.

The UK Government's immigration policy fails to address Scotland's distinct demographic and economic requirements. We are therefore pressing for a fair and managed immigration system that meets the needs of the people of Scotland and of our public services and economy. In collaboration with NHS National Education for Scotland and COSLA, our Government has provided funding to create the centre for workforce supply social care, which will test and develop an ethical and sustainable model of international recruitment for adult social care providers in Scotland.

In my answer to Alexander Stewart, I referenced the work that we are already doing to improve the delayed discharge picture.

Air Service between Uist and Stornoway (Access for People with Reduced Mobility)

6. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Government whether it will provide an update on its consideration of the impact of the change in subsidised air service provider between Uist and Stornoway on access to services, including health services, for people with reduced mobility. (S6O-03650)

The Presiding Officer: Before I call the cabinet secretary, I advise members that question 5 was withdrawn.

The Cabinet Secretary for Health and Social Care (Neil Gray): I am aware of the difficulties that Rhoda Grant mentions and I have been working with the Cabinet Secretary for Transport to continue to understand those challenges, which is why we are working on possible solutions in collaboration with Comhairle nan Eilean Siar and NHS Western Isles. I am also keenly aware of the need for solutions to be developed and owned by local partners. I will shortly convene a meeting in Uist to support that process. The local MSP, Alasdair Allan, has also corresponded with me to request that. The Scottish Government is also working closely with NHS Western Isles to ensure that health patients continue to have full access to services.

The provision of air services within the Western Isles is for Comhairle nan Eilean Siar to decide on, and it is therefore for that council to ensure that it has made a suitable assessment of the impacts. However, we will look at what we can do in collaboration between the health portfolio and the transport portfolio to support it in those endeavours.

Rhoda Grant: I look forward to receiving an update about the meeting between the council and the health board. However, the issue is even more pressing due to the lack of availability of health services in the Uist and Barra hospital, many having been pulled back to the Lewis hospital in Stornoway. Will more services be available locally, so that those who cannot access the new aeroplane can get health treatments and chemotherapy closer to home?

Neil Gray: I of course commit to making sure that Rhoda Grant is kept up to date. My understanding is that there are difficulties with the Uist and Barra hospital due to clinicians not being able to travel to the site, and that the alternative option will be the transfer of services to the Western Isles hospital and NHS Near Me clinics. We will continue to work with NHS Western Isles and with the local authority, as I have set out, to improve the situation for people in the Western Isles. As I said, we are working together on that

across Government, as we recognise the challenge that impacts local residents.

Liam McArthur (Orkney Islands) (LD): The cabinet secretary will be aware that the Islander aircraft has been the workhorse of the lifeline air services in Orkney for many years. However, growing numbers of constituents with mobility issues, on islands such as North Ronaldsay that do not have a roll-on, roll-off ferry, are missing hospital appointments or other medical appointments due to the inaccessibility of the Islander aircraft. I have spoken to the cabinet secretary about those concerns, but can he confirm that he will agree to meet me and representatives of NHS Orkney, Orkney Islands Council, Loganair and other stakeholders when he is in Orkney during the summer, so that we can look at finding a resolution to the issue—which will only get worse, given demographic trends?

Neil Gray: Mr McArthur will know that I have an awareness of the situation that he outlines, having been a passenger on the ferries serving the northern isles and on interisland aircraft. I have given a commitment to meet Mr McArthur to discuss the matter when I am on my family leave in Orkney later in the summer, and I look forward to that discussion to see what more we can do to provide support on a cross-Government basis.

Ardrossan Harbour (Redevelopment)

7. **Katy Clark (West Scotland) (Lab):** To ask the Scottish Government whether it will provide a further update on plans for the redevelopment of Ardrossan harbour. (S6O-03651)

The Cabinet Secretary for Transport (Fiona Hyslop): In my response to the motion debated in the Scottish Parliament last week, on 20 June, I confirmed that

“we have been progressing the Ardrossan business case and cost exercise”,

and that it is

“substantially complete”.—[*Official Report*, 20 June 2024; c 40.]

Transport Scotland is working with partners to finalise the exercise, and any updates on the project will not be until after the pre-election period.

Katy Clark: Ardrossan has been the main port to Arran for 190 years, as it is the shortest and quickest route. Humza Yousaf signed off its redevelopment in 2018, but six years of delays, for successive reasons, means that ferries will now be running from Troon. Will the cabinet secretary ensure that there is a final announcement in July, with a plan for the redevelopment of Ardrossan harbour?

Fiona Hyslop: Not just Katy Clark but Kenneth Gibson, as the local MSP, as well as others, have repeatedly made the case for Ardrossan, and I absolutely understand that. It is essential to get the substantial investment that is required, and that a robust business case is set out that meets all the requirements for good decision making. I understand the frustrations not just of the people of Arran but of the people of Campbeltown, who want the situation to be resolved, but I have been and will continue to be clear and open, and I will talk with partners on the task force as soon as it is practically possible to do so.

Jamie Greene (West Scotland) (Con): An undignified public spat is taking place between Peel Ports and CalMac at the moment, which is symptomatic of wider issues and a breakdown in relationships between stakeholders across the marine network.

Instead of rebuilding berths and ports, the Government should be rebuilding relationships among stakeholders. What is the cabinet secretary doing to intervene in the matter to ensure that stakeholders are working together for the greater good and for the benefit of our island communities?

Fiona Hyslop: I take that point very seriously indeed. The success of any development would indeed involve partners working collaboratively together. I reassure the member that we had a very constructive task force meeting in May—I think that it was in May, but I will correct the record on the date—that provided an opportunity for everybody to understand the progress made and the elements that still had to be resolved. That, I think, is evidence of my personal involvement with the task force to take forward the project.

Midwives

8. **Brian Whittle (South Scotland) (Con):** To ask the Scottish Government what action it is taking to ensure that the provision of midwives by the national health service meets demand.

I should declare an interest, in that I have a daughter who is a midwife. (S6O-03652)

The Minister for Public Health and Women’s Health (Jenni Minto): The Scottish Government values every single midwife and the extraordinary care that they provide day in, day out. I am aware of the decline in applications to midwifery undergraduate programmes, which is exactly why the education and development of students and staff has been a key workstream of the nursing and midwifery task force. The task force will report in the autumn, and its work will help to support the demands that the workforce is facing as it develops actions to diversify education and training pathways, to support longer-term

workforce sustainability and to improve workplace culture, practice, flexibility, recruitment and retention.

Brian Whittle: Last month I attended a Royal College of Midwives event in the Parliament, where three student midwives shared their experiences with me. We know from the RCM's report and from student evidence that 70 per cent of students incurred additional debt due to their studies, while 60 per cent worry that they may need to drop out for financial reasons. That is even more concerning after learning that roughly 45 per cent of those students are over the age of 30. Will the minister consider an apprenticeship route into midwifery to help with the financial issues of mature student midwives?

Jenni Minto: The chief midwifery officer attended the round-table meeting that Mr Whittle also attended. She updated everyone who was in attendance on our plans to review finance for nursing and midwifery students and also the wider work that is happening. We are very much considering alternative career pathways into nursing and midwifery. We recognise the growing interest in flexible learning models, which will allow students to earn while they learn. Apprenticeships are certainly part of that work.

First Minister's Question Time

12:00

National Health Service (Delays)

1. **Douglas Ross (Highlands and Islands (Con):** Public Health Scotland figures show that delayed discharge—also known as bedblocking—is at a record high. According to the charity Macmillan, a set of new figures reveals

“devastating delays in cancer treatment”.

Right now, one in seven of our fellow Scots is on a national health service waiting list. Given all that, why does our health service not make it on to the first page of the Scottish National Party's priorities?

The First Minister (John Swinney): As I have explained to Parliament previously, I accept that the delayed discharge numbers that Douglas Ross raises with me are far too high. The Government is in active dialogue with local authorities and health boards to reduce those numbers. On waiting times for cancer treatment, we are treating more patients, and an increased number of personnel in the health service are working to deliver on cancer care. Across the whole health service, we are allocating more resources to ensure that it is able to meet the rising demand that has occurred in the aftermath of the Covid pandemic. The health service now occupies a much larger proportion of our budget than was the case previously.

There is, of course, a link between the condition of the health service and the question of independence, which is the question of financial control. What worries me—and not only me; this has been expressed by the Institute for Fiscal Studies as well—is that, at this moment, there is a conspiracy of silence between the Conservatives and the Labour Party about the funding of our public services and our health service. The issue is this: we are not confronting the consequences of 14 years of austerity. For Scotland, independence is the way to do that.

Douglas Ross: I spoke about Macmillan saying that there are devastating delays in cancer treatment, and John Swinney goes for independence. He spoke about delayed discharge and said that he was in “active dialogue” with local authorities. Yes—that active dialogue is telling them that they are having their budgets cut yet again by this SNP Scottish Government.

On the SNP's watch, Scotland's NHS waiting times are at some of their worst levels ever. It has made Scotland the drug deaths capital of Europe; alcohol deaths are now at their highest level for 16 years; and life expectancy in Scotland is lower

after 17 years of the SNP Government. The SNP is bad for Scotland's health. We are all sick of hearing about what is on page 1, line 1. Fixing Scotland's broken NHS is the public's priority. Why is it not the SNP's?

The First Minister: I think that the Government's decisions speak volumes about the priority that we attach to the health service—*[Interruption.]*

The Presiding Officer (Alison Johnstone): Let us hear the First Minister.

The First Minister: When this Government came to office in 2007, the health service occupied about 33 per cent of the Government's budget. Today, it is closer to 50 per cent. Those are the decisions that this Government has taken, and that has ensured that there is more funding to deal with the increased demand on the national health service.

Last year, with the allocation of consequential funding from the United Kingdom Government, we faced a choice. Consequentials came to us for business rates support for the hospitality industry. When that money came here, Douglas Ross wanted us to spend it on the hospitality sector, and we chose to spend it on the health service. We are prepared to make the tough choices; Douglas Ross ducks them. *[Applause.]*

Douglas Ross: John Swinney wants to get applause from the clapping seals behind him for record drug deaths in Scotland—*[Interruption.]*

The Presiding Officer: Members!

Douglas Ross: He wants us to celebrate—*[Interruption.]*

The Presiding Officer: Members!

Mr Ross, yet again, I must draw your attention to standing orders rule 7.3, which tells us that we must conduct our business

"in a courteous and respectful manner".

Do continue in that vein. Thank you.

Douglas Ross: I was just making the point that the SNP members were applauding John Swinney—*[Interruption.]* SNP members were applauding John Swinney for overseeing record drug deaths in Europe. We are the worst in Europe, and they applaud that. We have bedblocking at its highest ever level, and they applaud that. We have people—840,000 of our fellow Scots—on waiting lists for far longer than they should be, and SNP MSPs applaud that.

It is not just our health service where the SNP has failed. It has not upgraded the key roads that it promised that it would upgrade: the A9, the A90, the A96, the A7, the A75 and the A77. All those promises have been broken by the SNP.

The attainment gap is supposed to close—it has widened. Violent crime is up, and officer numbers are down. Scottish workers pay more in tax than those in the rest of the United Kingdom, and the SNP has abandoned Scotland's oil and gas industry. From Salmond to Sturgeon to Swinney, all that they have achieved is dividing Scotland. Is it not time to finally draw a line under the independence debate for good?

The First Minister: One of the issues that Douglas Ross put to me was alcohol-related deaths. I want to share a quote with Parliament, because this is the type of evidence that Parliament needs to chew over and consider when we are dealing with the type of rhetoric that we hear from Douglas Ross. Professor Gerry McCartney, who is professor of wellbeing and economy at the University of Glasgow, said:

"You see lagged effects from decades ago of urban planning, policy decisions and the 1980s economic changes and how that translated into people's alcohol deaths a decade or two decades later. So it is not unprecedented."

I simply put that evidence to Parliament, because we have to understand the consequences of the devastation that was wreaked on our country by the policies of Margaret Thatcher's Conservative Government.

Just to prolong—*[Interruption.]*

The Presiding Officer: Members!

The First Minister: Just to prolong the absurdity of Douglas Ross's position, he has, this week, set out a manifesto that commits to

"Repairing the Roads ... Ending Long NHS Waits ... Restoring our Schools"

and

"Making Scotland Safer".

All—*[Interruption.]*

The Presiding Officer: Let us hear the First Minister.

The First Minister: All those four commitments cost more money, and then there is the fifth one: "Cutting your Tax". Douglas Ross stands here and demands that we do more and spend less. It is the politics of absurdity, and Douglas Ross is welcome to all of it.

Douglas Ross: Let us just look at that answer. John Swinney is considerably older than me, but he is blaming the failures in Scotland now on a period before I was even born. Apparently, it has nothing to do with the 17 years for which the SNP has been in charge in Scotland.

We know that, apart from separating Scotland from the rest of the UK, nothing else matters to John Swinney. Independence will always come

first, before our NHS, before jobs, before schools and before the economy—before everything. People up and down Scotland want the focus to be on those issues—the things that really matter to them—but we all know what John Swinney wants. If it is not page 1, line 1, it is not a priority for the SNP.

Right now, in 2024, the SNP's leader from 2004 is trying to take us back to the division of 2014. Scotland is stagnating under the SNP. We have had 17 years of decline and broken promises. Is it not time to finally move on from the division of this SNP Government to focus on the issues that really matter to people?

The First Minister: I do not really think that Douglas Ross is in a position to go on at me about division when his colleagues behind him have told him to get out of office as leader of the Scottish Conservative Party. *[Interruption.]* Oh! Do they all want him to stay? What I read in the newspapers was that they were all in revolt. They all wanted rid of him. *[Interruption.]*

The Presiding Officer: Let us hear one another.

The First Minister: I think that my colleagues are pretty happy that I am here just now, believe you me. *[Interruption.]*

The Presiding Officer: Let us hear one another.

The First Minister: Let me tell Douglas Ross why independence matters. People in this country are suffering because of the—*[Interruption.]*

The Presiding Officer: We will hear the First Minister.

The First Minister: —consequences of 14 years of Conservative austerity. They are suffering because of the Conservative obsession with Brexit, which is damaging our economy. They are suffering because of the cost of living crisis that was escalated by the ludicrous behaviour of Liz Truss and Kwasi Kwarteng, which Douglas Ross wanted me to emulate. Independence is the solution to austerity, Brexit and the cost of living—and we are going to see the back of Douglas Ross as well.

National Health Service Treatment

2. Anas Sarwar (Glasgow) (Lab): Presiding Officer,

“Long waits are forcing those who can afford it, to go private. A two-tier health service in Scotland is now beyond question. If you can stump up the cash, then you can get the care you need.

But we all value an NHS free at the point of use.

Yet, Scotland is sleepwalking into sacrificing this principle, threatening the very existence of the national health service as we know it.”

Those are not my words; they are the words of the chair of the British Medical Association Scotland, Dr Iain Kennedy, who was talking about the national health service in Scotland right now on the Scottish National Party's watch. Is Dr Kennedy wrong?

The First Minister (John Swinney): I have the greatest respect for the comments of Dr Kennedy. I listened and I read his comments with great care, and I take them seriously, because Dr Kennedy has given a significant warning to us about what lies ahead.

I have been completely candid—*[Interruption.]* This will be interesting to see. I do not think that it is any secret that we are going to have a Labour Government in a little while. We will have to see how the dialogue develops here. A week on Friday, the issues that have been raised with me about the health service are going to be the Labour Party's problem.

Michael Marra (North East Scotland) (Lab): This is your problem. Take some responsibility.

The First Minister: I do not need Mr Marra to shout at me about taking responsibility. I take my responsibilities deadly seriously.

I am calling for a serious conversation about what lies ahead. The health service is a product of the investment that we can make through the public finances. As I have just explained in replying to Mr Ross, when we came to office, the health service occupied 33 per cent of our budget, and it now occupies nearly 50 per cent of it. We have taken the hard decisions, including to increase tax on higher earners in order to invest more in the health service, which Mr Marra and Mr Sarwar want us to reverse.

To look ahead, the Labour Party is proposing an extra £134 million of investment in the health service in Scotland as a consequence of its election victory. That is what it is offering. The last spring budget health consequential that we got from the awful Tories were £237 million. I invite Anas Sarwar to do the maths. We cannot prolong austerity, and that is what the Labour Party is offering. Until the Labour Party offers a sensible way out of austerity, people in Scotland will not take it seriously.

Anas Sarwar: That is, frankly, an embarrassing response. The Scottish National Party has been in charge of the NHS for 17 years, and the chair of the British Medical Association Scotland says that we now have a two-tier health service under an SNP Government. All that John Swinney spoke about was what would happen if we get a Labour Government after 4 July, which I and many in

Scotland hope that we will get. What about this Government's responsibility and what is happening to people right now? The reality of Dr Kennedy's comments is that many people feel that they have to pay because they have been waiting too long for treatment. There are no answers from John Swinney to those people.

Nothing sums up SNP waiting time failure like cancer. Two weeks ago, I highlighted the scandal of cancer patients having to pay privately for chemotherapy. Think about that for a moment, Mr Swinney, before you give your next answer.

Cancer is Scotland's biggest killer. It has touched every family in Scotland. On Tuesday, it was confirmed that, under this SNP Government, we have failed to meet the 62-day treatment standard for cancer treatment. In fact, it has not been met for 12 years. In that time, almost 26,000 cancer patients have waited too long—in the past year alone, 5,000 patients have waited too long. How much longer do those cancer patients and their families need to listen to the SNP Government blaming somebody else for its own failure?

The Presiding Officer: Always speak through the chair, please.

The First Minister: Let me go through some of the steps that we have taken to strengthen cancer care in Scotland and demonstrate the increased level of activity that is taking place. In relation to the significant increase in the number of posts that we have in cancer care, I note that we have funded the creation of 15 extra posts in clinical oncology, six in medical oncology, 68 in clinical radiology and 10 in clinical interventional radiology. There has been a 50 per cent increase in the number of consultant oncologists in the past decade, and we have increased the number of consultant radiologists by 34 per cent over the same period.

If we look at the volume of individuals who are being treated, we see that more than 15 per cent more patients were treated on the 62-day urgent suspicion of cancer pathway than in late 2019, before the Covid pandemic, which is 47 per cent more than 10 years ago. Further, 22 per cent more patients were treated on the 31-day pathway compared with 10 years ago.

My answers directly address Mr Sarwar's point about what we are doing to treat and support more people. We are expanding the number of people delivering specialist care, and we are making sure that more patients are being treated on the 31-day and the 62-day pathways.

Other measures have been taken such as the rapid cancer diagnostic services that are now being delivered in parts of the country. In NHS Fife, for example, the average wait for referral

from diagnosis has gone from 77.5 days to 11.4 days. In Dumfries and Galloway, that average wait has gone from 78.7 days to 13.6 days. I put that information on the record to reassure members of the public that the Government is investing, we are treating more people and more people are being treated more quickly.

I accept that there remain challenges in the delivery of healthcare and cancer care, which is why I believe that we have to have an honest conversation about the financial support that is required to support investment in our health service.

The Presiding Officer: There are many members who wish to ask questions, so I would be grateful for more concise questions and responses.

Anas Sarwar: I cannot wait to have that honest conversation in the run-up to the election in 2026 about the performance of the SNP Government when it comes to the NHS—and neither can many people across the country.

Last year, 5,000 patients waited too long to get their cancer treatment. I said at last week's First Minister's question time that "long waits cost lives". We all know that the faster someone gets treatment, the higher their chances of survival from cancer.

Earlier this month, Professor Farhat Din of the Royal College of Surgeons of Edinburgh told the Scottish Parliament's Health, Social Care and Sport Committee:

"As a cancer surgeon, when patients in my clinic ask me when their operation will be ... that is a very difficult conversation to have ... Each of those people is part of a family, and there is anxiety for them. There is also anxiety for clinicians, because we are trying to deliver care, but we cannot deliver the high standard of care that we have been trained to deliver."—[*Official Report, Health, Social Care and Sport Committee*, 4 June 2024; c 3.]

On the SNP's watch, 26,000 cancer patients and their families have faced that anxiety and waited too long. Can the First Minister explain why to them and to their doctors?

The First Minister: I have set out what we are doing in considerable detail. The Presiding Officer has asked me to keep my remarks limited, so I will not repeat all that I have just put on the record. What I said in my answer is a demonstration of two things: one, the investment that we have made in specialist capacity to enable us to treat cancer patients, and two, that we are prepared to put in the resources to enable that to happen. That has not happened by accident. It has happened because ministers in the Government took a decision to increase taxes for higher earners so that we could spend more on health than was provided by the United Kingdom Government in

consequential. Secondly, it happened because we decided not to pass on a Barnett consequential to the hospitality sector, but to invest it instead in the national health service.

I am contributing to the debate by acknowledging the significant pressures on the national health service as well as the significant burden that has been created by prolonged austerity. What I worry about—and I worry about it deeply—is that I do not hear a willingness from the Labour Party to take a different course of direction and to invest more in our national health service to ensure that we can deliver the care that people require. I want to ensure that that is well understood by people in the course of the next week, so that they are fully informed about the limitations of the position that has been offered by the Labour Party. I want to demonstrate the commitments that we have given to put our money where our mouth is, to put taxes up, to increase investment in the national health service and to deliver for the people of this country.

Cabinet (Meetings)

3. Alex Cole-Hamilton (Edinburgh Western) (LD): To ask the First Minister when the Cabinet will next meet. (S6F-03266)

The First Minister (John Swinney): The Cabinet will next meet in the week commencing 5 August.

Alex Cole-Hamilton: It is harder than ever to see a general practitioner. People are phoning hundreds of times when the lines open, only to be given an appointment weeks later. Local surgeries are on their knees, and a lot of the demand that they face is linked to the crisis in mental health—they need dedicated mental health workers working alongside them. In 2021, Nicola Sturgeon agreed with that. She announced that the Scottish National Party Government would hire 1,000 new staff to lessen the load and that every surgery would benefit by 2026. There is not long to go now, but there is just one catch: we have uncovered that, three years later, not a single one of those workers has been recruited—not one.

The Liberal Democrats are dedicated to getting you fast access to your GP. We are dedicated to world-class mental health support, but the SNP has cut mental health budgets time and time again. Is that not yet more evidence that the SNP has been in power for too long and is letting people down?

The First Minister: No, because we have exceeded our commitment to recruit 800 additional mental health workers to accident and emergency departments, GP practices, police station custody suites and prisons. We have also invested in mental health support in our schools and the

appointment of mental health counsellors in order to try to provide early intervention to reduce the crystallisation of demand for child and adolescent mental health services, so that young people are supported at an earlier stage. The Government has increased expenditure on mental health with a 2 per cent cash increase, representing 8.5 per cent of total national health service expenditure. Expenditure on CAMHS has also increased, and the Government will continue to support essential mental health services to assist in meeting the demands and needs of individuals in our society.

Child Poverty (Impact of Two-child Limit)

4. Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): To ask the First Minister, regarding the impact on child poverty levels in Scotland, what assessment the Scottish Government has made of recent research from the Institute for Fiscal Studies on the impact of the two-child benefit cap. (S6F-03277)

The First Minister (John Swinney): The report shows the scale of the impact of the two-child limit. An extra 250,000 children in the United Kingdom will be affected by it next year and an extra 670,000 will be affected by the end of the next session of the UK Parliament. Those households will be an average of £4,300 worse off, which represents 10 per cent of their income. The evidence is overwhelmingly clear that scrapping the Westminster policy will immediately lift children out of poverty. It is frankly breathtaking that the Labour Party has committed to keeping the two-child benefit cap in place, offering no change to the Tories' austerity agenda.

Audrey Nicoll: As the First Minister has outlined, the IFS research indicates that, when it has been fully rolled out, the two-child benefit cap, which is supported by both Labour and the Tories, will affect one in five children and will cost families an average of £4,300 a year. What assessment has the Scottish Government made of what the impact on child poverty levels would be if an incoming UK Government reversed that cruel policy?

The First Minister: Recent analysis by the Government has estimated that reversing the two-child limit and reintroducing the family element of universal credit would lift 10,000 children in Scotland out of poverty. That would be a welcome addition to the effectiveness of the child poverty measures that the Government is already taking, which include the Scottish child payment and other measures, as a consequence of which we are keeping 100,000 children out of poverty.

It would be of assistance to us in achieving the fundamental aspiration of this Government, which is to eradicate child poverty, if we were to have the support of the United Kingdom Government

through the lifting of the two-child limit, rather than the prolonging of child poverty as a consequence of the maintenance of that immoral policy.

A9 Dualling

5. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the First Minister, in light of the reported number of serious and fatal accidents on the A9 trunk road in recent weeks, what progress is being made on the dualling project. (S6F-03264)

The First Minister (John Swinney): We are all aware of the harm, disruption and inconvenience that are caused by road traffic accidents, including the most recent incidents on the A9. I express my sympathies to everyone who has been affected by the loss of a loved one, including the family and friends of the individual who was killed in the accident on the A9 last Sunday, and to anyone who has been injured on our roads.

As I confirmed at the cross-party meeting that I chaired on Tuesday, this Government's commitment to dualling the A9 is steadfast, and progress has been made on the timetable that was published in December. Since then, we have progressed the purchase of land for four sections in the programme. The procurement process for the Tay crossing to Ballinluig project began in May, and I can advise Parliament today that we are nearing completion of the procurement process and will shortly award the contract for the dualling of the Tomatin to Moy section.

Murdo Fraser: The First Minister is aware that the busy summer tourist season always brings a spate of serious and fatal accidents on the A9. The latest of those, as he has alluded to, was on Sunday at Calvine; it involved the death of a motorcyclist. That is a terrible tragedy for the family of the man who was killed, but there was also massive disruption on what is a major, busy arterial route. The road was closed for seven and a half hours, and motorists and bus passengers were left stranded. I am sure that the First Minister would want to join me in thanking the local residents and businesses in Blair Atholl that stepped in with food, drink and accommodation to help the people who were affected.

However, such tragedies will continue to happen until the A9 is dualled in full, which the Scottish National Party Government promised would happen by 2025. That promise was broken. The First Minister now says that the dualling programme will proceed. Why will it be different this time?

The First Minister: First, I associate myself with Murdo Fraser's remarks about the assistance that was provided by my constituents in the Blair Atholl area. The community around Blair Atholl in Pitlochry and Dunkeld has had a lot of experience

of providing support when previous incidents have occurred, and I express my warm thanks to the individuals who helped. For completeness, I should also say that the settlements north of Calvine, where the accident took place, in Dalwhinnie, Kingussie and Newtonmore, also provided assistance to motorists who were inconvenienced.

The accident in Calvine happened on a part of the road where it was particularly difficult to enable alternative diversion routes to be put in place. Long diversion routes had to be used, which involved significant amounts of disruption. I have asked Transport Scotland and the Cabinet Secretary for Transport to look again at the handling of that incident so that we can be certain that all assistance that can be provided in such circumstances will be provided.

In relation to the latter part of Mr Fraser's question, the Government has had to address a number of major infrastructure projects that were part of the on-going programme that we inherited when we came into office, as well as some other projects that emerged that had to be addressed. The Government has completed satisfactorily the Borders railway, the Levenmouth railway, the Airdrie to Bathgate railway, the expansion of a number of stations, the Aberdeen western peripheral route, which was promised for 40 years but never delivered, the Queensferry crossing, the M80 completion, the M8 completion and the M74 completion. We have brought forward—

The Presiding Officer: Please answer briefly, First Minister.

The First Minister: I will do so, Presiding Officer.

We brought forward improvements to the A9 at Luncarty to Pass of Birnam, as well as at Kincairdie, Dalraddy, Crubenmore and the Ballinluig junction. I hope that that gives Mr Fraser confidence that the Government delivers.

Fergus Ewing (Inverness and Nairn) (SNP): On Tuesday, a cross-party group of MSPs, representing all but one of the parties in the Holyrood chamber, met the First Minister to discuss the acceleration of the timetable for dualling the A9. Can he now confirm to us all and to Scotland that, with officials and industry, he will give the most serious consideration to that plea? In any financial instrument that is deployed, will he also seek to include provision to deliver our promise on the Nairn bypass?

The First Minister: The Government is committed to delivering the Nairn bypass and the dualling of the A9 from Inverness to Perth. As I indicated at the cross-party group meeting on Tuesday, the Government will keep the programme under review to identify whether there

is any way that we can move faster. However, we have established a strong programme that enables us to deliver on the commitment that we have made. The Government's commitment is absolute.

As Mr Ewing well knows from his long experience in government, we have to live within the financial resources that are available to us. We will deploy creativity in trying to expand those resources but, if our capital budget is cut by 10 per cent, that is a significant challenge to any Government of any political colour.

Rhoda Grant (Highlands and Islands) (Lab):

Listing the projects that have been completed instead of the dualling of the A9 simply adds insult to injury for the people of the north, who have waited too long. How much land has been purchased for the A9 and how much remains to be purchased?

The First Minister: I set out the projects that the Government has delivered and put in place simply to establish confidence in the Government's ability to deliver capital projects. I have not heard from Rhoda Grant an argument for why we should not have done any of those projects. We were encouraged by the Labour Party to do other projects that we did not want to do, and we had to find the funding for all of that. I simply put those projects on the record.

I cannot give Rhoda Grant a definitive figure for the volume of land that has been acquired, but I will write to her with the details after First Minister's question time.

Carer Support Payment

6. Emma Harper (South Scotland) (SNP): To ask the First Minister whether he will provide an update on the Scottish Government's work to roll out the carer support payment. (S6F-03280)

The First Minister (John Swinney): Our carer support payment is the 14th benefit to be delivered by Social Security Scotland and has been available for new applicants in Dundee city, Perth and Kinross, and the Western Isles since November 2023. From November it will operate nationally, and on Monday we completed the latest phase of the roll-out, opening the payment to new applications in Angus, North Lanarkshire and South Lanarkshire.

The carer support payment, which was co-designed with carers and support organisations, extends entitlement to many carers in full-time education, thereby removing barriers to education for around 1,500 carers a year.

Emma Harper: The carer support payment is Scotland's 14th transformative devolved payment and it benefits many young carers who would

simply not, were they elsewhere in the United Kingdom, receive the financial support that they deserve.

Will the First Minister urge the next UK Government to face up to the devastating effects of a decade of austerity on our communities, including on unpaid carers, and match the progressive social security ambitions of the Scottish National Party Scottish Government?

The First Minister: In addition to Emma Harper's point about the impact of the carer support payment on young people, from Monday we extended eligibility for that payment to 16 to 19-year-olds who are in full-time secondary education and are in exceptional circumstances. I hope that that will help to address some of the issues that the member raises.

The Government is committing a record £6.3 billion to benefits expenditure, which is £1.1 billion more than we receive from the United Kingdom Government for social security through the block grant. That demonstrates our commitment to tackling poverty. The investment will support more than one in five people in Scotland—in particular, disabled people. It will assist them to live full and independent lives and it will enable older people to heat their homes in winter. It recognises unpaid carers' valuable contribution to our communities around the country.

The Presiding Officer: We move to general and constituency supplementary questions. If we keep questions and responses concise, we will be able to involve more members.

Scotland-headquartered Companies (Ownership)

John Mason (Glasgow Shettleston) (SNP): Does the First Minister share my concern about the rate at which Scotland-headquartered companies are being taken over by businesses elsewhere—specifically, and most recently in my constituency, civil engineers R J McLeod (Contractors) Ltd?

The First Minister (John Swinney): I understand the concern and anxiety—in particular, for employees of those organisations. There are examples of Scottish companies acquiring businesses in other parts of the United Kingdom and around the world, so acquisition is and can be a two-way process. Part of what the Government wants to do is strengthen the roots of companies in Scotland and their commitment to the Scottish economy. The recent data from the Royal Bank of Scotland purchasing managers index demonstrates that Scotland is an attractive place to do business and is attracting a great deal of interest domestically and internationally.

General Practices

Roz McCall (Mid Scotland and Fife) (Con): Presiding Officer,

“If you’re not satisfied with the service you receive, look beyond the practice and instead hold those with the power to improve matters to account. The Scottish Government needs to do more to directly support general practice, the bedrock of the NHS. Please contact your MSP.”

That is the statement that the Fife local medical committee, which represents general practices in Fife, has written to its patients. Our GPs are the front line of our health service so, in the light of that statement, what message do you have for patients in Fife who are being so completely let down by this Government?

The Presiding Officer: I remind members to always address their remarks through the chair.

The First Minister (John Swinney): I greatly value the contribution that general practices make to the nation’s health. I want to make sure that general practices have the support that they need in order to deliver on their commitments. The Government has invested more than £1.2 billion in general medical services in the past financial year, and we work in close concert with general practices to make sure that they meet the needs of their patients.

The health secretary is in regular dialogue with the representatives of general practices through the British Medical Association and other organisations. That will certainly be encouraged by me.

Tennis

Neil Bibby (West Scotland) (Lab): In recent years there has been a significant growth in participation in tennis in Scotland, with more than 270,000 children playing at least once a year, a 29 per cent increase in children playing weekly and record levels of club membership. It is also welcome that half of all schools in Scotland are registered to deliver the Lawn Tennis Association youth schools programme, which is a free offer with resources to deliver tennis in a school setting.

As Sir Andy Murray, one of Scotland’s greatest ever athletes, comes towards the end of his career, how will the Scottish Government work with both Tennis Scotland and the Lawn Tennis Association to capitalise on his success and ensure that every primary-school age child in Scotland has the opportunity to pick up a racket and try tennis?

The First Minister (John Swinney): I associate myself very much with the sentiments behind Mr Bibby’s question. As a consequence of his incredibly successful career, Sir Andy Murray has given exceptional and demonstrable leadership in

encouragement of participation in sport. He has been a great ambassador for Scotland and for tennis and sport.

The answer to the question lies in some of the points that Mr Bibby has put to me—it will be through partnership that we make the greatest success. We are already working with Tennis Scotland, the Lawn Tennis Association and sportsScotland to support delivery of tennis activity around the country. There is a £15 million transforming Scottish indoor tennis fund, which is a capital investment programme that has been brought together by that partnership to enable greater use of tennis facilities and to encourage greater participation in tennis.

I assure Mr Bibby of the Government’s willing engagement to work with partners to deliver that increased participation.

Public Spending

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): A recent study from researchers at the London School of Economics and Political Science has indicated that, between 2010 and 2019, United Kingdom Government austerity spending cuts cost the average person in the UK nearly half a year in life expectancy. Given that the Institute for Fiscal Studies has warned that both Labour and the Tories are planning further substantial austerity cuts, will the First Minister advise what assessment the Scottish Government has made of the impact of those Westminster cuts on public health in Scotland?

The First Minister (John Swinney): It is very clear that the evidence points to the acute difficulties that Elena Whitham puts on the record. If there is a prolonged reduction in public expenditure, it will harm the population. That is what we are wrestling with, and that is why there must be a change of direction in the public finances. We have taken decisions in Scotland to expand public expenditure to enable investment in our public services. We need the fiscal climate of the United Kingdom to catch up with us to enable greater investment in the public services of our country.

Fertility Preservation Treatment (National Health Service)

Graham Simpson (Central Scotland) (Con): I have been contacted by a constituent with a 38-year-old niece in Lanarkshire who has breast cancer. Treating that will ultimately affect her fertility but, because she has passed her 38th birthday, national health service rules say that she must pay £5,000 for fertility preservation treatment. If she were an otherwise healthy woman, she could get in vitro fertilisation on the NHS into her 40s, and rightly so. I do not think that

that is a very fair situation for anyone with breast cancer. Will the First Minister agree to look into that situation as a matter of urgency?

The First Minister (John Swinney): I recognise the sensitivity of the point that Mr Simpson puts to me, and I understand the concern about the different approach that is taken in different scenarios. I am happy for the relevant ministers—the Cabinet Secretary for Health and Social Care and the Minister for Public Health and Women’s Health—to engage directly with Mr Simpson on the question. We will explore what is possible. There might be clinical issues with which I am not familiar, but we will explore the matter to see whether there is a way to address Mr Simpson’s points.

University Hospital Wishaw (Neonatal Intensive Care)

Monica Lennon (Central Scotland) (Lab): The Scottish Government’s plan to downgrade the neonatal intensive care unit at University hospital Wishaw is dangerous and flawed, and it will fail vulnerable babies and families in Lanarkshire. My constituents deserve better, and that is why they have the full support of Scottish Labour. What about the First Minister? Will he listen to parents, families and healthcare experts and save this United Kingdom-award-winning unit, or will the Scottish National Party Government continue to defend the indefensible?

The First Minister (John Swinney): I understand that this is a significant and sensitive issue in the Lanarkshire area. However, the conclusions have been arrived at after a very detailed and comprehensive process of evidence gathering. They are based on clinical advice that it would be impossible for the Government to ignore. The information that has been gathered points to the changes that are being proposed, and that approach is based on evidence.

The issue involves babies who are at an extreme level of vulnerability. As a logical consequence, and as the evidence points to, there is a need for very sophisticated intervention to maximise the possibility of sustaining life. It would be difficult for ministers to ignore the compelling evidence on that need. I understand the strength of feeling on the question, but ministers need to act with responsibility in relation to the evidence that is put in front of us.

Edinburgh-Kaohsiung Friendship Arrangement

Jamie Greene (West Scotland) (Con): I declare an interest as the convener of the cross-party group on Taiwan.

On 12 June, the Cabinet Secretary for Constitution, External Affairs and Culture met the

Chinese consul general in Edinburgh. The purpose of the meeting is not known, but we do know that, days later, the City of Edinburgh Council pulled out of a friendship agreement with the Taiwanese port city of Kaohsiung. We also know that Chinese officials made public statements about sanctions against academia, aviation and business in the capital city. Is the First Minister comfortable with such threats to our capital city? Will he instruct the cabinet secretary to publish minutes of his meeting with Chinese officials? In doing so, will the cabinet secretary explain why he felt it appropriate to intervene in the matter at all?

The First Minister (John Swinney): First, the decisions of the City of Edinburgh Council are a matter for the City of Edinburgh Council. Ministers do not have any direction-making powers over local authorities on such matters, although there are some issues on which we have—actually, I am not sure whether we have any direction-making powers over local authorities, because they are independent corporate bodies. Therefore, that question just does not arise.

I certainly do not think that it is appropriate for any threats to be issued to public bodies. Public bodies should be free to make their own judgments and come to their conclusions. I do not agree with such threats in any shape or form.

It is not surprising that the cabinet secretary for external affairs should meet the Chinese consul general, because Mr Robertson has an obligation to meet the consular community regularly—indeed, I will meet the American consul general this evening to mark his moving on from his posting in Edinburgh. Such discussions are routine, but any decisions that the City of Edinburgh Council makes are a matter for it.

Business Activities (Donald Trump)

Ross Greer (West Scotland) (Green): My colleague Patrick Harvie has written to the First Minister and the Lord Advocate to request confirmation of what action Scottish ministers are taking in the light of the serious concerns that have come to light regarding Donald Trump’s acquisition of property in Scotland. Mr Trump was recently found guilty on 34 counts by the New York state Supreme Court, including on counts of falsifying business records relating to his Scottish properties. Since 2017, Scottish Greens have called on ministers to apply for an unexplained wealth order under the Proceeds of Crime Act 2002 to investigate Trump’s activities in Scotland. Ministers have said for years that they cannot confirm or deny whether Trump is under investigation but, in that same period, an investigation and a court case have taken place in New York.

Faith in Scotland's justice system is being put at risk by the appearance of inaction in the face of potentially serious criminal activity by a rich and powerful individual, so will the First Minister provide an update on whether an unexplained wealth order will be sought regarding Donald Trump's Scottish business activities?

The First Minister (John Swinney): I understand Mr Greer's points. Any decisions arrived at by the Supreme Court in New York are a matter for that court. There is a process that must be undertaken in Scotland for any unexplained wealth order. That process is taken forward by the civil recovery unit, which is responsible to Scottish ministers under the Proceeds of Crime Act 2002, and the matter would be for that unit to consider.

In the light of Mr Greer's question, I will explore whether anything more can be said about that, and I will write to him if anything can be added to what I have placed on the record today.

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

Standing Order Rule Changes (Legislative Consent)

The Presiding Officer (Alison Johnstone): The next item of business is a debate on motion S6M-13746, in the name of Martin Whitfield, on behalf of the Standards, Procedures and Public Appointments Committee, on standing order rule changes—procedures on consent in relation to United Kingdom Parliament bills. Members who wish to speak in the debate should press their request-to-speak button. I call Martin Whitfield to speak to and move the motion on behalf of the Standards, Procedures and Public Appointments Committee.

12:47

Martin Whitfield (South Scotland) (Lab): I extend my apologies to the cabinet secretaries and ministers who are awaiting appointment as I bring to the chamber the results of the fourth report from my committee, which has led to motion S6M-13746.

The motion invites Parliament to agree to changes to the standing order rules relating to legislative consent in order to clarify the processes relating to instances in which Parliament is invited to withhold its consent. I thank the deputy convener, Ruth Maguire, for her support with the motion.

Chapter 9B of standing orders currently provides for legislative consent motions to be lodged when the Scottish Parliament's consent is being sought. Both the Conveners Group and the Constitution, Europe, External Affairs and Culture Committee wrote to the Standards, Procedures and Public Appointments Committee to highlight the lack of any provision in standing orders regarding motions refusing legislative consent. That correspondence highlighted the increasing number of instances of Parliament debating and agreeing to motions to refuse consent. Because such motions sit outwith the legislative consent process, as set out in standing orders, motions refusing consent can be lodged and taken in chamber before lead committees have reported on that legislative consent motion.

In response to the concerns raised, the SPPA Committee proposed having a discrete procedure for refusing consent and consulted on that proposal with all Scottish Parliament committees, the Parliamentary Bureau, the political parties and the Scottish Government Minister for Parliamentary Business.

That consultation proposed having a rule for motions refusing consent that would be similar to the rule that currently exists for consent motions.

That would include a requirement that a motion refusing legislative consent can be lodged only if a corresponding consent memorandum has been lodged and that that memorandum should include a draft motion. All responses to the consultation were supportive of that change.

The consultation asked whether respondents had a preference with regard to making lodging a motion mandatory, and the majority of the responses stated that they supported placing an obligation on the Scottish Government to “endeavour” to lodge a motion to give the Parliament the opportunity to refuse consent.

However, the Minister for Parliamentary Business raised concerns about the operation of the rules in instances where United Kingdom bills might give rise to the consideration of different consent positions at different points in a bill’s passage. Following those discussions, the committee has agreed that a single set of rules for any relevant bill, regardless of consent position, be proposed. The same process and stages are required, regardless of whether consent is being sought or being refused.

The revised draft rules also incorporate the preference expressed in the consultation from the Scottish Government to try to lodge a motion on legislative consent. The draft rules use the term “normally” and do not specify any time limits.

The committee believes that the proposed rule changes will provide more clarity to the Parliament’s procedures for considering legislative consent motions as well as greater protection to the important scrutiny function performed by committees on legislative consent memorandums, ensuring that the work of the committees on these matters is always able to inform the Parliament’s decision taking on legislative consent motions. The rule changes themselves are set out in annex B of the committee’s report. For the avoidance of doubt, the wording in the annex will completely replace the existing wording in standing orders relating to it.

Due to the forthcoming UK general election on 4 July—which no doubt we are all aware of—there are currently no UK Parliament bills on which legislative consent is being sought. As a result, the motion proposes that the rule change take effect from 2 July, before any legislation that might seek legislative consent is introduced following the UK general election.

I am grateful, Presiding Officer.

I move,

That the Parliament notes the Standards, Procedures and Public Appointments Committee’s 4th Report, 2024 (Session 6), Standing Order Rule changes - Procedures on consent in relation to UK Parliament Bills (SP Paper 627), and agrees that the rule changes to Standing Orders set

out in annex B of the report be made with effect from 2 July 2024.

The Presiding Officer: Thank you, Mr Whitfield. That concludes the debate on standing order rule changes—procedures on consent in relation to UK Parliament bills.

Minister and Junior Minister

The Presiding Officer (Alison Johnstone):

The next item of business is a debate on motions S6M-13771 and S6M-13772, in the name of John Swinney, on appointment of a Scottish minister and appointment of a junior Scottish minister. I remind members that, under rule 11.3.1 of standing orders, the question on the motions will be put immediately after the debate, and I invite members who wish to speak in the debate to press their request-to-speak buttons.

12:52

The First Minister (John Swinney): I am sure that I speak for all members when I say that Mr Whitfield's speech came as a great relief to us all in resolving that particular matter.

The motions in my name seek Parliament's approval that Gillian Martin be appointed as Scottish minister and Alastair Allan be appointed as Scottish junior minister. Before I go on, though, I want to express my best wishes to Màiri McAllan as she temporarily leaves her Cabinet post to go on maternity leave. She is an outstanding and much-valued cabinet secretary, with responsibility for Scotland's response to one of the defining challenges of our age—climate change—and she has never shied away from taking the big decisions and always seeks to push the powers of her portfolio to their limits.

Important though her Cabinet role is, it is nothing compared to the role that she is about to take on as a mother and a parent, when, with her husband Iain, they welcome their first child into their lives. There is no more vital task in our society than giving our children the best possible start in life and, although we will miss Màiri McAllan around the Cabinet table, she has my full support to take the time that she wishes to take and which she needs on maternity leave, knowing that her job will be there for her on her return. I am sad to say that that is not the experience of all women, but it is a message that I am keen for my Government to promote strongly. There should be no barrier to women holding senior positions in organisations from having children, and they deserve our full support to be able to do so. *[Applause.]* I know that the whole chamber will join me in sending our best wishes to Màiri and Iain as they await their new arrival.

As for today's appointments, while Màiri McAllan takes her maternity leave, I have asked Gillian Martin to assume her responsibilities and become acting Cabinet Secretary for Net Zero and Energy. Gillian Martin has served as the Minister for Climate Action since May, but she has held similar briefs as a minister for some time before that.

Before she was elected to Parliament, she spent time working in the energy industry and, as a representative of the north-east, she fully understands the complexities and the opportunities of her new role as she leads the Scottish Government's efforts to deliver a just transition. She will also retain responsibility for the circular economy.

With Gillian Martin moving into a Cabinet position, I have asked Dr Alasdair Allan to take on her responsibilities and become Acting Minister for Climate Action. Dr Allan is no stranger to ministerial office, having served as a minister for many years previously in education and external affairs roles. He is well used to engaging with and listening to a wide variety of stakeholders on areas of critical importance to the Government. As a long-serving member of the Scottish Parliament for the Western Isles, Dr Allan brings a particular perspective to a portfolio where considering the needs of rural communities is absolutely vital, including on issues such as renewable heating and energy efficiency.

By the end of next week, we will have a new United Kingdom Government. We will await the result of the election. Although the chamber is about to rise for its summer recess, ministers across my Government will be seeking to engage promptly and constructively with counterparts in Westminster over the summer period. Gillian Martin and Dr Allan are both very keen to pursue their responsibilities, and I ask Parliament to approve their appointments today.

I move,

That the Parliament agrees that Gillian Martin be appointed as a Scottish Minister.

That the Parliament agrees that Alasdair Allan be appointed as a junior Scottish Minister.

12:56

Douglas Lumsden (North East Scotland) (Con): I extend my best wishes to Màiri McAllan as she heads off on maternity leave. I am sure that she will be a fantastic mum, and I look forward to seeing her back in Parliament later in the session. As a parent, I remember only too well the sleepless nights, the stress and the worry, but I guess that, as a member of the SNP Government, that is something that Ms McAllan is already used to.

I also welcome Gillian Martin to the role of cabinet secretary. She will bring a wealth of experience to the position, and it is good to see a former oil and gas spin doctor, as *The Ferret* referred to her, becoming cabinet secretary. I enjoy debating with Gillian Martin because I am sure that, deep down, she does not agree with her party's presumption against oil and gas, and I am

sure that, deep down, she supports the Rosebank development. I look forward to her changing her party's position and protecting the north-east economy. I also want to congratulate Dr Alasdair Allan on getting back into Government—finally, a recycling target that the Government has met. We will support the motion today.

12:57

Martin Whitfield (South Scotland) (Lab): As others have done, I send my best wishes to Màiri McAllan and Iain for the arrival of what will be a bundle of joy that will take up all the time that they have. I read that Màiri McAllan said:

“how could I complain”

about being given, as the pregnant lady,

“more work as opposed to what might have happened in previous decades when you were written off?”

I echo the First Minister's very powerful statements about that; this is a very significant move. I congratulate the Government and, more importantly, Màiri McAllan. I also like the fact that the First Minister has given Màiri McAllan an open-door offer to return to her job at the right time—when she is ready. I would listen very carefully to that.

On the appointments, I say to Gillian Martin, who was already in the Government and has been invited to step up to Màiri McAllan's role, that I know that she will fulfil that fully and successfully. To Dr Alasdair Allan, whom I have had the pleasure of working with, I say that when I read about his prospective appointment, I was reminded of a book that he had written some while ago. He said that his account of his journey from Berwick to the Solway Firth would be

“appreciated by anyone who likes dry humour and wet weather.”

I look forward to that returning to the Scottish Government at this time, and we will support the motion today.

12:59

Gillian Mackay (Central Scotland) (Green): I start by welcoming Gillian Martin and Alasdair Allan to their new roles. Those roles are essential to tackling the climate crisis and accelerating our path to net zero. I am sure that both Ms Martin and Dr Allan will not be surprised to hear that we will be pushing them hard on much of the work that we need to see progressed in the next year or so.

With more young women in Parliament than ever, we need to keep in mind that we need to look at how we support those going on maternity leave. The Government is able to reshuffle to cover those responsibilities, but there is no

equivalent support for regional or constituency responsibilities to allow maternity leave to be proper leave. We should learn from those who have taken maternity leave this parliamentary session and look at how we as a Parliament could make that support better, including by exploring locum cover.

On behalf of my party, I take the opportunity to wish Màiri McAllan well for the arrival of her baby. We wish her, her husband Iain and the rest of the family all the best for this new adventure and the expansion of their family. I very much hope that Màiri McAllan has a good and peaceful maternity leave—as much as it can be—and I am sure that the whole Parliament looks forward to meeting the new arrival in the coming months.

The Presiding Officer: That concludes the debate on the appointment of Scottish ministers and junior Scottish ministers.

There are two questions to be put. The first question is, that motion S6M-13771, in the name of John Swinney, on the appointment of a Scottish minister, be agreed to.

Motion agreed to,

That the Parliament agrees that Gillian Martin be appointed as a Scottish Minister.

The Presiding Officer: The next question is, that motion S6M-13772, in the name of John Swinney, on the appointment of a junior Scottish minister, be agreed to.

Motion agreed to,

That the Parliament agrees that Alasdair Allan be appointed as a junior Scottish Minister.

The Presiding Officer: We move to the next item of business. I will allow a moment for front-bench members to organise themselves.

Scottish Elections (Representation and Reform) Bill: Stage 1

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-13758, in the name of Jamie Hepburn, on the Scottish Elections (Representation and Reform) Bill at stage 1. I invite members who wish to speak in the debate to press their request-to-speak button.

13:02

The Minister for Parliamentary Business (Jamie Hepburn): I am pleased to open the stage 1 debate on the Scottish Elections (Representation and Reform) Bill. I thank those who engaged in the public consultation ahead of our developing the bill. That is always an important part of our process, and I am grateful to those who did so.

I am also grateful to the committees that are involved in scrutinising the bill and, in particular, the Standards, Procedures and Public Appointments Committee. I am pleased that its stage 1 report supports the bill's principles, and I look forward to hearing from the committee convener in a few moments, just as I look forward to working closely with the committee and others as the bill continues its passage through the Parliament.

I thank my predecessor as Minister for Parliamentary Business, my friend George Adam, who developed the bill's proposals. I am very grateful for the effort that he took in engaging with a range of people, organisations and the Parliament in developing and forming the proposals in the bill, and I assure members that I am committed to continuing that approach.

As we mark a quarter century since the Parliament's first elections, the bill is an example of the positive changes that this Parliament has made in how elections are run, always seeking to put people first.

Daniel Johnson (Edinburgh Southern) (Lab): Jamie Hepburn makes a very good point about the bill being about the Parliament, but does it strike him as odd that the proposals are being brought forward by the Government—the executive? As we consider how we make such changes in the future, does he think that there should be a greater role for the Parliament to look at, instigate and initiate them, rather than the changes being Government initiated?

Jamie Hepburn: It is always in the hands of the Parliament to initiate any proposals that it wants to initiate, and we will probably come to discuss

some in a short while. Mr Simpson will be speaking today, I think, and he has some proposals in this area. Other members are, of course, able to do so, and any committee of the Parliament is able to do so—in particular, the Standards, Procedures and Public Appointments Committee. I am always up for that approach, and the Government will always co-operate as such. Indeed, I was just about to make the point that, although the bill has been introduced by the Scottish Government, it is the Parliament's bill, and I hope that it will command the support of all colleagues here.

The bill covers a range of issues, including reforming Scottish Parliament and local government elections, carrying forward Government commitments to extend candidacy rights and improving accessibility for voters. It reforms our key electoral organisations and addresses issues arising from the United Kingdom Elections Act 2022, especially on campaign finance, and it builds on experience from the pandemic.

The bill extends candidacy rights for Scottish Parliament and local government elections to foreign nationals with limited leave to remain. It seems right that those who can vote in our elections should also be able to stand for election unless there are strong reasons otherwise. I highlight the powerful evidence that was provided to the committee on the impact of changes that have already been made by this Parliament on voting rights for foreign nationals. Ahlam Hamoud Al-Bashiri of the Scottish Refugee Council told the committee:

“I am so happy that, in 2020, the right to vote in Scotland was given to refugees and that I, as a refugee, can vote in national and local elections here. In 2021, when I went to cast my vote for the first time, it was one of the most beautiful moments of my life. I am so glad that I chose to make Scotland my country.”—[*Official Report, Standards, Procedures and Public Appointments Committee*, 18 April 2024; c 7.]

That is a sentiment that many of us who have taken for granted our right to vote might have underestimated or not fully appreciated. Those are powerful words that bring home the real impact of what changes to voting rights bring to people and how they can involve them in this vital tenet of democratic elections.

I was therefore pleased to see that the stage 1 report welcomed the proposed extension of candidacy rights. All of us here have been candidates for election, often many times and, for many of us, for more than just this Parliament. We have had varying degrees of success when standing for election at different points, but we have all gone through the process of being a candidate. We are aware of the risks that those who stand for public office face.

It is crucial that campaigners, candidates and those running elections who face the risk of abuse in what should be a safe environment feel secure, and that action is taken if they do not. That is why the bill builds on the 2022 act to allow a court to bar from becoming MSPs and councillors those found guilty of offences involving intimidation of campaigners, candidates and elected representatives. The bill also goes further than the 2022 act by allowing those found guilty of offences involving intimidation of electoral workers to be disqualified. I hope that that sends a very strong and clear message to those who administer our elections that any intimidation or abuse of them is unacceptable and should not be tolerated.

The bill makes a further change on disqualification, so that future changes to House of Commons eligibility rules no longer automatically apply to MSPs. Further changes on disqualification are also planned for stage 2. We have sought views ahead of lodging amendments to disqualify sex offenders from becoming MSPs and councillors.

As I mentioned a few moments ago in response to Mr Johnson, we are aware of Mr Simpson's proposed member's bill on removal from office and recall. I am very grateful to have had the chance to have what I believe were constructive discussions with Mr Simpson—I hope that he concurs—around that proposed legislation, which has three elements. One is a system of recall, similar to the process introduced for MPs. Just a few weeks ago, a motion on that in this Parliament had substantial cross-party support. Another element is about removal from office due to a lack of participation, and the third is about the threshold for criminal conviction in disqualifying people from elected office.

I have been discussing the detail of those matters with Mr Simpson. As I said, I intend to continue that work over the coming period, ahead of stage 2, to assess any possible implications for the bill that we are debating today.

On campaigning in general, the bill broadly mirrors the UK Elections Act 2022 on spending during election campaigns, redefining notional expenditure, limiting overseas spending and modifying third-party campaigning costs. Those changes would simplify the law and they have been broadly welcomed.

On digital imprints, the actions of the UK Government have left us with little choice but to repeal the existing Scottish rules, which were the first in the UK and have operated successfully. The UK Government chose to pursue a broad reading of the internet services reservation, which we continue to think is incorrect. The bill responds to that unilateral change. However, we have retained one aspect in discussion with the

Electoral Commission, such that an imprint is required on unpaid-for material posted not just by a regulated campaigner but by all organisations. We see that as addressing an important gap. The committee's stage 1 report highlights concerns about the enforcement and oversight of those measures, and I intend to engage closely with stakeholders to ensure that their concerns are addressed.

The bill also builds on lessons learned during the pandemic on the emergency rescheduling of elections. We have made it clear that those proposed provisions are only for situations in which a delay is essential, such as a public health emergency. The Standards, Procedures and Public Appointments Committee has called for those who make postponement decisions—for example, the Presiding Officer and the convener of the Electoral Management Board—to provide a written statement of reasons for any such decision, and I will lodge an amendment to that effect. I have also noted the proposal from electoral administrators that the maximum period for a delay to council elections should be four weeks rather than two, and I intend to lodge an amendment at stage 2 to reflect that proposal.

We all want the highest possible registration for and participation in elections and we all want Scotland's citizens to be actively involved in our democracy. To that end, the bill makes provision for electoral innovation pilots. At present, only councils can propose pilots. The bill will allow schemes to be proposed by the Electoral Management Board, electoral registration officers and ministers. Piloting allows us to test whether potential changes and innovations will work in practice.

The current election campaign has highlighted again the need to help people with sight loss to vote independently. Pilots should be able to help people register to vote. I intend to lodge an amendment to clarify that changes to the registration system can be piloted.

The bill seeks to do much more. I do not have time in this opening statement to speak on it all, but I will speak on more of it at the close of the debate. I look forward to hearing the contributions of members.

I close now by citing evidence that the Electoral Reform Society provided to the committee:

"It is also important not to focus only on elections, but to think about the opportunities to strengthen our democracy in the periods between elections, too."—[*Official Report, Standards, Procedures and Public Appointments Committee*, 18 April 2024; c 23.]

The bill is designed to help that effort.

I move,

That the Parliament agrees to the general principles of the Scottish Elections (Representation and Reform) Bill.

The Deputy Presiding Officer: I call Martin Whitfield to speak on behalf of the Standards, Procedures and Public Appointments Committee.

13:11

Martin Whitfield (South Scotland) (Lab): As convener of the Standards, Procedures and Public Appointments Committee, it is my pleasure to speak on behalf of the committee.

It is an opportune time to debate electoral law. I am sure that all members will join me in encouraging people who are able to vote to do so next week, and to continue to vote, in future elections to which the bill relates, because our democracy is founded on the moment when a person makes a decision about who they wish to represent them.

I echo the minister in thanking all those who provided written and oral evidence on the bill. I also thank all my fellow committee members for the constructive way in which they approached the committee's stage 1 report.

The committee supports the general principles of the bill, although there are a number of matters on which we either call for further clarification in advance of stage 2 or have already suggested changes to the Government. I welcome the openness that the current minister and his predecessor have shown towards the committee with regard to taking advice, discussing and being able to reach what I hope are satisfactory conclusions. The Scottish Government has provided a response to the committee's report that indicates an openness to consider a number of the committee's recommendations for amendments, and I am grateful for that.

The bill covers a number of very different aspects of electoral law. I will not speak to every detail of the bill, but I will cover the committee's main conclusions and recommendations. However, I urge all members and those outside of Parliament to read the stage 1 report, listen to today's debate and engage over the recess period, so that changes, amendments and ideas can be brought forward in a timely manner.

Daniel Johnson: Given that so much of the bill is, in essence, a framework bill and will rely on secondary legislation, I wonder whether the convener of the committee could outline his view on how that secondary legislation should be drafted, reviewed and amended so that it can genuinely be a cross-party effort. That secondary legislation is ultimately where much of the detail of the bill will be embodied.

Martin Whitfield: I am grateful for that intervention, but I disagree with my colleague's point. The bill is not simply a framework bill in the style of other bills that we have considered; it delves into a great deal.

Nonetheless, as my colleague will pick up in due course—indeed, he may already have done so from reading the report—some criticism has been levelled at the bill. Perhaps “criticism” is too strong a word; there is an inquiring view as to the extent of secondary legislation, which goes to the heart of the matter: who should control our electoral methods? Is it—indeed, should it be—this Parliament? We have already had an indication from the minister of the Parliament's ability to launch opportunities, indications and changes. Alternatively, should that control sit with Government? We will pursue inquiry on that as we move forward.

The committee supports the extension of candidacy rights to individuals with limited leave to remain. The majority of those who provided evidence to the committee welcomed the proposals. There are, however, some concerns in the evidence about the potential risk that it could be used by foreign players to undermine Scotland's electoral system. The committee has invited the Scottish Government to consider those risks further.

The bill also introduces a Scottish disqualification order, which would disqualify an individual, subject to an order, from standing for election to the Scottish Parliament and/or our local government in Scotland for a period of five years. It also provides that, where an individual is convicted of certain offences and the court believes beyond reasonable doubt that the offence was aggravated by hostility related to electoral workers, the court will, in most cases, be required to impose the additional sanction of a disqualification order.

The committee is content with the provisions on disqualification, but it noted a potential risk of vexatious candidacy for the Scottish Parliament elections, as the bill would prevent an individual who is subject to such an order not from actually standing for election, but merely from taking up the role. The committee notes the reference provided by the minister that the elections order offers sufficient safeguarding. The committee has asked the Scottish Government to keep that issue under review and to consider future amendments via primary legislation, should any issues of vexatious candidacy transpire.

The committee invites the Scottish Government to carry out an evaluation of the impact of the proposed changes in relation to increasing the diversity of those campaigning or standing for elected office, and in relation to the levels of abuse

and intimidation that women and minority candidates in particular experience.

The policy memorandum to the bill indicated that the Government would welcome the committee's view on the introduction of a provision that provides for the disqualification of individuals who are subject to sex offender notification requirements from being MSPs or councillors. Responses to the committee indicated stakeholder support for the introduction of such a provision. The committee also noted that other legislatures in the UK have brought forward legislation in that area. The committee supports the introduction of that provision in principle, but detailed scrutiny of how such provision could or should operate is not possible without sight of specific legislative proposals. The committee looks forward to engaging with the Government on that issue ahead of stage 2.

On campaign spending, the committee made a number of recommendations. Those include:

"that the Electoral Commission should be consulted before Scottish Ministers add a category to the list of third party campaigners"

and

"that the Scottish Government should undertake work with relevant stakeholders to consider how the range of campaign expenses could be increased to support increased diversity in candidates for elected office, such as, but not restricted to, childcare costs".

The committee also recommended

"that, in relation to restrictions on spending by overseas third party campaigners, the Scottish Government provides further information as to how it intends such restrictions to be enforced",

and

"that the Scottish Government undertakes further work with stakeholders to bring the reporting regime for Scottish Parliament elections into line with the regime for UK Parliament elections."

The committee welcomes the consideration that has been given to providing greater flexibility in relation to the rescheduling of Scottish elections. Concerns were raised with us by the Association of Electoral Administrators in relation to the minimum period, but the minister has already covered the intentions in that regard.

We also recognised, and emphasised, the importance of clarity and transparency in relation to decisions to reschedule elections. The committee considers that the provisions in the bill could be strengthened by an additional requirement for a statement of reasons explaining why an election is being rescheduled.

We are largely content with the provisions of the bill in relation to election pilots and the establishment of a democratic engagement fund.

Nevertheless, we ask the Scottish Government to take into account the recommendations in the report, including on mechanisms for election pilots and specifying the amount of funding in the democratic engagement fund.

I realise that time is short, so I will push on swiftly. The committee supports the proposed revision to extend the deadline for Boundaries Scotland to submit its next report on council wards and councillor numbers from 31 December 2028 until 30 April 2031. We welcome the Scottish Government's commitment to look at automaticity as the way forward and to set out details of its proposals in that regard before stage 3.

The Electoral Management Board plays an important role in the elections, and the committee welcomes and supports the establishment of the Electoral Management Board as a body corporate, so that it can undertake contracts and better facilitate the provision of elections.

The committee has called on the Scottish Government to provide more clarity on the significant number of areas that could be dealt with through secondary legislation, and the committee would like to know when it can expect to receive that additional information. The committee asks for it to be provided well in advance of any secondary legislation being laid.

The committee would also like to receive clarification in respect of when the relevant secondary legislation—either that which has been outlined in the minister's letter or other necessary secondary legislation—will be laid in advance of the next Scottish Parliament elections.

The committee looks forward to working with the Scottish Government and all members across the chamber on the bill, which I believe is a very important one. We are reminded of the Gould principle that any amendments to election rules should be made sufficiently in advance of an election so that everyone understands them, and not less than six months before an election.

I am grateful for your patience, Deputy Presiding Officer.

The Deputy Presiding Officer: We have some time in hand, but I will leave it to members to decide how they wish to use that time—or not, as the case may be.

13:21

Graham Simpson (Central Scotland) (Con): I thank the Standards, Procedures and Public Appointments Committee for its excellent and detailed report on the bill. I hope to work closely with the committee on my proposed bill, which members have already heard about—there is some crossover between my bill and the bill that

we are considering—later this year, so I want to keep in with the committee and its fantastic convener. [*Laughter.*]

At this stage, we are looking at the general principles of the bill, which are

“to make further provision about eligibility of elected representatives in the Scottish Parliament and in local government and to reform certain aspects of the law relating to Scottish parliamentary and local government elections”.

The committee agrees with the general principles, and so do Conservative members.

The committee’s report goes into detail on some very important areas. The bill gives foreign nationals with any form of leave to remain the right to stand as candidates in Scottish local government elections and Scottish Parliament elections. Currently, foreign nationals can stand for election to the Scottish Parliament only if they have indefinite leave to remain. The new proposal could mean that someone could be elected with no guarantee that they will be able to stay for their full term. That must be an issue.

There is also the question—which the committee picked up—whether there is a tension between the oath of allegiance that MSPs are required to swear and citizenship of another country. When he was asked about that, the then Minister for Parliamentary Business, George Adam, responded:

“There is always debate about that, and everyone has their own opinion on it, but it is up to each individual to consider how they deal with that when they put themselves forward as an elected member.”—[*Official Report, Standards, Procedures and Public Appointments Committee, 2 May 2024; c 8.*]

I think that that response was a bit of a cop-out, to be honest.

Jamie Hepburn: I presume that Mr Simpson would recognise that each and every one of us who stands for elected office does so on the basis of an understanding that, if we are elected, we will have to take such an oath. We have to reconcile ourselves to that fact, in the full knowledge that that could happen.

Lorna Slater (Lothian) (Green): [*Made a request to intervene.*]

Graham Simpson: I notice that Lorna Slater also wants to intervene; I will take an intervention from her next.

In answer to the minister, of course that could happen, but the committee picked up on the fact that someone who was in that position would know that they might not be able to serve their full term. That is an issue that it would be worth exploring, possibly at stage 2.

Lorna Slater: The member will recognise that many of us who serve in this chamber already are also citizens of other countries.

Graham Simpson: Absolutely, and that is a good thing.

The bill creates a new Scottish disqualification order that can apply to individuals found guilty of intimidating electoral workers. Malcolm Burr, convener of the Electoral Management Board for Scotland, said:

“A lot of abusive comments are made off the cuff or are of the moment and probably would not be caught. One would hope that the possibility of a disqualification order would deter anyone with political ambitions who was minded to participate in a campaign of intimidation or a premeditated act of intimidation.”—[*Official Report, Standards, Procedures and Public Appointments Committee, 21 March 2024; c 5.*]

I agree. The bill does not include provision for disqualification of individuals who have been convicted of a sexual offence and are subject to sex offender notification requirements from holding office as MSPs or councillors. However, the policy memorandum to the bill indicates that consideration is being given to such a provision being introduced at stage 2. I would certainly be happy to look at that, but it may be better if the Government does.

That brings me to another issue highlighted in the policy memorandum, which I also highlighted when I attended the committee on 2 May. Section 31 of the Local Government (Scotland) Act 1973 prevents individuals standing or holding office as a local authority member if they have, within five years prior to the day of the election or since their election, been jailed for no less than three months. For elections to the Scottish Parliament, people are disqualified from standing or continuing to serve as an MSP if they have been sentenced to be imprisoned or detained for more than a year. The justification for the difference in approach is not clear.

As I have said, I have a member’s bill that is being drafted at the moment, which the committee will deal with. Part of it seeks to reduce the sentence limit for MSPs from over 12 months to six months. However, that would still leave a disparity in the way that councillors are treated and the way that MSPs are treated, for which I see no justification. As the minister said, I have had fruitful discussions with him about that issue and about the rest of my bill, because we need to fix that. He and I agree—I am not putting words in his mouth—that we ought to find a solution, but we need to decide what length of sentence should prevent someone from being a councillor or an MSP. It needs to be the same figure. I am confident that, over the summer, the minister and I will arrive at an agreement.

I will certainly lodge an amendment on that, but that would mean my not taking forward that element of my bill. I am strongly minded to keep the other sections of my bill, on non-attendance and recall. That should keep the committee well occupied in the latter part of the year and maybe beyond.

The Scottish Elections (Representation and Reform) Bill does a number of other things. It makes new provision on campaign finance. It places a duty on the Electoral Commission to produce a statutory code of practice on the application of expenditure controls for third-party campaigners. It contains provisions on deciding to postpone elections. It widens powers to conduct a pilot on electoral processes and to adjust the date of the new review of local government wards and numbers of councillors. It will also change the law on digital imprints.

There is a section in the committee's report on dual mandate. I think that I am right in saying that most witnesses were against that, but there are differing views among MSPs and in my party. I note that the committee did not express a view. I am personally against dual mandate.

I thank the committee once again and look forward to contributing to the progress of the bill.

13:29

Daniel Johnson (Edinburgh Southern) (Lab): I thank Graham Simpson for giving us that briefest of insights into and hints about the internal machinations of the Scottish Conservative group on dual mandate. I should probably leave that one there.

Before I go any further, I remind members of my entry in the register of members' interests. I am a member of the trade unions Community and the Union of Shop, Distributive and Allied Workers, and I am a Scottish Labour and Scottish Co-operative Party MSP, which is all relevant to the bill.

The bill makes a number of very important changes to the way in which people will seek to be elected to the Scottish Parliament in future years. It is really important that we continue to revise and refresh such rules and regulations, because that is part of a healthy democracy. Society changes, so ensuring that we remain as accessible and as inclusive as possible is very important.

I do not have the time this afternoon to go through all the issues that the bill raises, but I will highlight a few. First, the points about accessibility that the Royal National Institute of Blind People has made are very important. It highlighted an issue that was raised with me by one of my constituents, who was deeply frustrated about the

lack of availability of voting devices. For people who have visual impairments, it can be incredibly difficult to register to vote, to get to polling stations and to use ballot papers. It strikes me that it should not be beyond the wit of human beings to ensure that people with visual impairments are able to vote. In relation to what is being proposed, it strikes me that we are behind the curve in making such technology available. James Adams from the RNIB put it very well in his evidence to the committee when he stated:

"there is a large cohort of blind and partially sighted people who, if they could register with the local authority to receive their voting card by email or whatever electronic method, would be able to use screen readers on their phones."—[*Official Report, Standards, Procedures and Public Appointments Committee*, 18 April 2024; c 19.]

That is a simple and bold point.

Jamie Hepburn: Mr Johnson has made a number of reasonable points. In relation to people who might struggle to access ballot papers in the traditional format, ideas for tactile voting aids continue to be explored. A prototype of a card overlay that matches the size of a ballot paper is being assessed, and end users are involved in its design and development. We are actively considering all such issues.

Daniel Johnson: I am aware of that, but I urge the Government to accelerate and expedite that work, because there is a great deal of frustration about that process being very long and drawn out.

I also urge members to realise that visual impairment takes a broad range of forms. Not all people who are blind or visually impaired can use Braille, so a broad range of devices are needed for different people with different visual impairments.

I follow a very broad principle on the extension of candidacy rights. If someone participates in and contributes to society, and if they pay their taxes—this is not an exhaustive or comprehensive list—they should be able to put themselves forward for election. In broad terms, I welcome the broadening of that category. I welcome the fact that a broad range of people can vote in Scottish Parliament elections.

However, we must look carefully at the criteria that are being proposed. I wonder whether there is merit in including people who are here for only a temporary period and have no expectation of residing in Scotland up to, or even close to, the point of the next election.

Critically, we must consider the possibility that such provision could be exploited by foreign powers or other agencies, as they could send people to this country who could use their ability to stand for election to manipulate an election. That is not an imminent threat, but we certainly need to consider that possibility.

Jackie Dunbar (Aberdeen Donside) (SNP): *[Made a request to intervene.]*

Jamie Hepburn: Will the member take an intervention?

Daniel Johnson: I think that Ms Dunbar was ahead of the minister, so I will give way to her first.

The Deputy Presiding Officer: I call Jackie Dunbar, who joins us remotely, for an intervention.

Jackie Dunbar: Daniel Johnson was talking about people who would be residing in Scotland only temporarily. Is he talking about people in the rest of the UK in that regard, or is he talking about only European nationals and other nationals?

Daniel Johnson: We just need to think through the issue carefully. If someone is standing for election, they should be committed to representing the constituency or the region for the period of that parliamentary session. We should explore that issue in our discussions.

I will give way to the minister, but I think that I might be running out of time.

The Deputy Presiding Officer: It is fine.

Jamie Hepburn: I assure Daniel Johnson that Jackie Dunbar is frequently ahead of me; I see that he agrees from a sedentary position.

I agree with Daniel Johnson's latter point, on concerns about manipulation and outside agencies. We have to consider that very carefully. It is a serious matter.

However, when it comes to strict criteria on who can or cannot be a candidate, I ask him to reflect on the fact that, in advance of standing for election, not one person here had to sign anything to say that they were committed to living in Scotland for any extent of time. The assumption—the expectation—is that we will do so. That is no different from the current position.

Daniel Johnson: Sometimes, such things need to come out through the voters deciding whether a person's commitment—whether to a time period or to particular principles—is a reason to vote for them.

I note the time. I will briefly mention third-party campaigners. It is natural that a broad range of third-party organisations—such as those referred to in my declaration of interests—participate. Transparency is important but, in our consideration of these things, we need to recognise the fact that trade unions, campaigning bodies and, indeed, allied parties are a healthy part of our democracy. We should seek to ensure that we do not put them at a disadvantage while we seek to promote transparency and clarity.

Very briefly, I say that we need to think about the possibility of committee bills in looking at how we reform our democracy. All committees in this Parliament have a capacity that has never been taken up. I have concerns about the fact that much of the detail relies on secondary legislation. The committee needs early sight of that and the ability to contribute and amend it, and I ask whether, in the future, the SPPA Committee or a similar body could take forward proposals such as these on a genuinely cross-party basis, because I question the legitimacy of the executive taking forward proposals to reform elections, which are properly a matter for the Parliament.

13:37

Gillian Mackay (Central Scotland) (Green): Sometimes dramatic, sometimes mundane and always interesting to those of us who are involved, elections offer us an incredible opportunity to voice our say about what values we want to guide the decisions that shape our country. Civil participation in our democracy is the only way to make it thrive. The inherent value of voting makes it a foundational principle for healthy democracies. That fosters expressiveness, equality and legitimacy and serves as a tangible link between residents and their representatives. It is the bedrock of our governmental structure.

The bill reminds us that this very institution is organic and welcomes expansion and inclusion. In contrast to those elsewhere in these isles who fight to conserve rigid and archaic structures, we have been allowed by devolution—in the relatively short history of this Parliament—to institute large advances in expanding rights. We have charted a different path in Scotland, and I hope that we will continue to expand and enhance access to our democratic institutions for everyone who lives here, so that they feel listened to and represented.

Votes at 16 for Scottish and local government elections is one of the greatest steps forward that we have taken to extend the franchise, and we have seen how young people have engaged with electoral processes as well as politics as a whole. That has certainly had an effect on policy.

I thank the clerks and the Standards, Procedures and Public Appointments Committee for their work, along with every one who took part in evidence sessions and in the consultation. I also thank my good friend George Adam MSP for the work that he put into the bill when he was Minister for Parliamentary Business. There is lots to welcome in the bill, and I note the general support and agreement of the committee in the stage 1 report.

Parts 1 and 2 of the bill, which extend candidacy rights at Scottish Parliament and council elections

to those with limited leave to remain in the UK, are necessary and important changes. A right to vote for refugees was first brought to the chamber in a Green amendment that was lodged in 2018 by my colleague Ross Greer and was supported by Labour, Liberal Democrat and Scottish National Party MSPs. We firmly believe that those who reside in Scotland must be afforded the right to vote and decide how best they would like to be represented, and it is logical to give those who have the right to vote the right to stand at such elections.

I am also supportive of having a backstop provision for responding to any unanticipated events, such as a public health emergency, particularly in light of the impact on this chamber of the Covid-19 pandemic.

I encourage the Scottish Government to take bolder action. In 2019, my colleague Mark Ruskell pressed for measures that are now in the provisions of this very bill. Scottish Greens have been at the forefront of several of those campaigns. We pressed for the expansion of voting rights to asylum seekers and we continue to urge the Government to take action on that. I am pleased to hear of the amendments that the minister seeks to introduce. I am sure that we will speak to him on amendments ahead of stage 2.

I was pleased, too, to hear Daniel Johnson raise the issue of accessible voting. Earlier this session, I attended an event at the sensory centre in Falkirk on voting accessibility for partially sighted or registered blind people. The technology that we saw is hugely important for people who require it, and that need extends to people with various impairments and disabilities. Communicating changes to electoral systems and how we vote is also important for people with impairments and disabilities, and that should be at the heart of any measures that we introduce in the future.

We must do more to renew our democracy and to encourage democratic participation at all levels. Reform work still needs to be done in this session of the Scottish Parliament, and it should be a continuous endeavour. It is the view of Scottish Greens that there should be a more radical review of democratic reform and voter turnout so that we can start to incentivise active citizens in our society. That is the correct step forward. We will support the bill at stage 1.

The Deputy Presiding Officer: We move to the open debate. I call Bob Doris, who is joining us online.

13:41

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I am pleased to speak in this short debate on the Scottish Elections

(Representation and Reform) Bill at stage 1. I thank members of the committee for their sterling work and for their very informative and helpful stage 1 report. I also thank the Minister for Parliamentary Business, Jamie Hepburn, and his predecessor, George Adam.

I wish to discuss how we ensure that we use the bill to make the most fundamental and core democratic function—casting one's vote—actually count. I have a direct constituency interest in the issue, but the points that I will make should be pertinent to all of us. At the 2022 Scottish council elections, in Canal ward in my constituency, the spoiled ballot paper rate was 5.64 per cent, which was more than three times the national average. Most of those papers had been spoiled unintentionally. Canal ward is a four-member ward; there were two parties fielding multiple candidates and a well-known independent candidate was also on the ballot paper. Many voters indicated a first-preference vote for more than one candidate, mostly by placing two or three Xs on the ballot paper. Parts of the ward have low income levels, such as Possilpark, which has the most challenging Scottish index of multiple deprivation data in Scotland. It has an enduring low turnout of voters, which at the last council elections was almost 14 per cent lower than the Scottish average. The risk factors for things going wrong were therefore clear and evident.

Let me view that through the prism of the bill that we are scrutinising. Part 5 of the bill contains a proposal for a democratic engagement fund. The previous minister suggested a figure of £300,000. The policy memorandum states that, where

“a grant or assistance scheme is put in place, this is expected to be focussed on local organisations which work with harder to reach groups and which have clear objectives to improve democratic participation, such as through encouraging registration.”

To that list of factors we could add tackling patterns of low turnout, the high rate of spoiled papers and other issues. If the scheme does not seek to tackle issues such as the ones in Canal ward that I have outlined, it will not be doing its job properly. We need more detail on the underlying principles for the strategic use of any given fund and how its effectiveness might be monitored. The Electoral Commission is considering the introduction of a similar fund.

That takes me to part 8 of the bill, which covers how five-year plans by the Electoral Commission are agreed by the Scottish Parliamentary Corporate Body, including the budgets that will underpin them. I would welcome the placing of a statutory duty on the Electoral Commission for any strategic plan to tackle issues such as the ones that I have identified in Canal ward. That position is shared by my local council colleagues

Councillor Gow and Councillor McLaren. Together, we have met representatives of the Electoral Commission to discuss the matter further.

Martin Whitfield: I thank Bob Doris for the contribution that he made while he was a member of the committee. Does he agree that the Electoral Commission itself should have the ability to control the five-year plan rather than the SPCB having the ability to alter it?

Bob Doris: That was an interesting intervention. I note that the Welsh Parliament and the UK Parliament are taking a different position from the one stated by the convener of the Standards, Procedures and Public Appointments Committee. I agree with the convener, however, that the underlying principles that support the plan should be set out in the bill, although the plan itself would be a matter for the Electoral Commission.

I have met the previous minister and representatives of the Electoral Commission to further my proposals. The current duty on the Electoral Commission is simply to

“promote public awareness of ... current electoral systems in the United Kingdom and any pending such systems, together with such matters connected with any such existing or pending systems as the Commission may determine”.

We can probably agree that could be clarified and brought into a bit more focus. It appears reasonable to me that the Parliament should reflect some underlying principles in the bill that should guide the strategic plans, which will hopefully facilitate meaningful work and outcomes in communities across Scotland—including in Canal ward, as I mentioned earlier.

I know that the Electoral Commission is increasingly seeking to do more work in this area, and not only at election time. I look forward to exploring the opportunities ahead of stage 2 to make votes count right across Scotland, and I look forward to working with the current Minister for Parliamentary Business to that end.

13:46

Annie Wells (Glasgow) (Con): I am pleased to be speaking in today’s debate on the Scottish Elections (Representation and Reform) Bill. It has been really interesting for me, as a relatively new member of the SPPA Committee, to understand where the bill is going. As we have heard, the bill contains numerous proposals that aim to alter aspects of our electoral system.

The suggested changes focus on voting, election schedules, campaigns and finance, administration and governance, and candidates. On the issue of candidates, part 2 of the bill is dedicated to disqualification criteria and increasing the diversity of candidates.

Concerning disqualification criteria, the policy memorandum suggests that consideration will be given at stage 2 to barring individuals who are sex offenders or have been convicted of sexual offences under the Sexual Offences Act 2003 from becoming either councillors or members of this Parliament. Notably, that would be comparable to legislation on the issue passed by other legislatures.

On the diversity of candidates, particular attention has been given to increasing the role of women and minority candidates. Those groups often experience larger degrees of abuse when standing for public office. That is particularly present on online platforms—namely, social media. To safeguard and improve diversity, the Scottish Government has been asked by the Standards, Procedures and Public Appointments Committee to undertake an evaluation of the potential impact of the proposed changes pertaining to individuals who are looking to campaign or run for office. In response, the Scottish Government reiterated its commitment to increasing the diversity of candidates for public office, and it agrees that conducting an evaluation on the impact of the changes before 2031 would help to realise that aim.

Aside from individuals, the bill looks to widen democratic participation by making it possible to offer financial support for activities deemed to be related to Holyrood elections or local government matters through a new democratic engagement fund and electoral pilots. Monetary assistance from the fund would be allocated to increase the engagement of campaigners, candidates and voters. Despite no money yet being allocated and more clarification being needed, the committee largely supported that proposal, alongside those for election pilots.

With regard to election pilots, the bill would seek to amend the Scottish Local Government (Elections) Act 2002. That proposal is intended to provide greater accessibility to voters. For example, it was noted that election pilots could play a central role when considering automatic voter registration in future. Like the engagement fund, that provision would, at least in principle, help to make the Scottish voting system more equal and reachable to all voters in Scotland.

The bill and its proposed changes to our electoral system are still very much in their infancy, and the bill is not, at least at this stage, an exhaustive one. However, the general spirit and aim of the bill is to make our electoral system—the very mechanism that we employ to exercise our democratic rights—more open and equal by refining the criteria for individuals who wish to represent the Scottish people here at Holyrood or in local government. The changes are aimed at

making Scotland's electoral system more accessible and more structured around the will of the Scottish people; I look forward to future debates and to collaborating with colleagues to achieve those ends.

13:50

Pam Duncan-Glancy (Glasgow) (Lab): I am pleased to speak this afternoon for Scottish Labour.

As colleagues have set out, we support reform, and as anyone who has been at a door or has looked at their inbox lately will know, the appetite for change is strong. People are fed up, partly because of what some do when they are in office but also because of the process to get here, as we have heard with regard to representation by and difficulties for equalities groups.

Setting the highest standards in public life is not just about behaving better or making better decisions—although we must improve both—but about the central issue of restoring trust between the public and politics. I think that there is a lot more that we can do in that respect. We could look at, for example, second jobs, the right to recall MSPs who have engaged in wrongdoing, and stronger sanctions for breaches of ministerial codes. Crucial to any such approach, though, is the ability to pilot improvements to increase participation in, access to and understanding in our politics, particularly for underrepresented groups. It is that issue to which I want to turn.

Participation and representation matter. I have spent much of my time both here and before I got here campaigning for better representation of women, disabled people, LGBT people and black and minority ethnic people in our homes, our streets, our councils, our banks, our bars and, indeed, our Parliaments. It is important that we see a diversity of society reflected here.

As it stands, though, our Parliaments still fall short in that respect. We know that women make up only 34 per cent of the UK Parliament—or as it was before it was dissolved—and 46 per cent of the Scottish Parliament. Less than 1 per cent of MPs are disabled; only 10 per cent of MPs and 4.5 per cent of MSPs are BAME; and 7 per cent of MPs are LGBT. The figure for MSPs is not available, and the Scottish Parliament information centre has said that it is difficult to gather such information, because we rely on people coming forward—or coming out, as I have described it in the past.

We should therefore take the opportunity provided by this bill, if we can, to try to address that. Much of this will come down to someone's fear of saying that they are a disabled person, for example. I do not have to say that—it is pretty

obvious—but, for some people, that is not the case, and we should make it easier for them to do that. It is an issue that goes quite far back—indeed, as far back as President Roosevelt, who said that he did not declare his disability because of concerns about how it could be seen. We need to sort that out, and part of what this bill could do is address that issue.

We know that representation matters, because we cannot continue to make the same decisions with the same people and expect different results. We have to bring the innovation in all Scottish society into this chamber and, indeed, council chambers across the country. We have taken some steps in that sense, but we still have far to go.

Graham Simpson: I am really interested in what Pam Duncan-Glancy is saying, but I wonder whether she has any specific proposals—she might not, as yet—to deal the issues that she is raising.

Pam Duncan-Glancy: I will highlight a specific example shortly, but there are other examples that I can point to across civic society. Engender, for example, has done some really good work on increasing the representation of women in politics, and I think that the Parliament should look to and learn from it and, indeed, the work of other equality groups.

The bill that is in front of us represents an opportunity to change things. We should seize the moment with the pilots. I agree with James Adams from RNIB Scotland, who said that

“blind and partially sighted people”

still do not

“feel that they can vote in confidence or in secret”—[*Official Report, Standards, Procedures and Public Appointments Committee*, 18 April 2024; c 16.]

and that we need to change that situation. He said that we should “bite the bullet”, and I hope that we can do so through this legislation, including in relation to digital polling cards.

We also need to welcome the increase in participation by supporting a fund for participation. The Electoral Commission, Engender and RNIB Scotland have suggested in their evidence that such a move would build the capacity of civil society to reach underrepresented groups, and we should seize that opportunity.

Finally, going back to the example that I mentioned, I would highlight the access to elected office fund, which was set up after cross-party campaigning and with a lot of support and effort from the disability movement to encourage more disabled people into politics. We should learn from that fund, and I would be grateful if the minister could, when he closes, confirm on the record

whether he will consider reopening it for the next Scottish Parliament election.

13:55

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): We have before us a bill at stage 1 that will go a long way to strengthening our democracy in the Scottish Parliament and across our council chambers. I thank everyone who has engaged with it this far.

The bill introduces provisions to expand candidacy rights, to protect candidates and campaigners from intimidation, and to improve administrative arrangements for elections in Scotland. It provides an opportunity to create an electoral system that improves democratic engagement, including for those who have chosen to make Scotland their home.

In the short time that I have to speak, I want to focus my remarks on where I believe we can focus attention to improve the bill to ensure that we deliver on our collective aim to positively enable greater diversity in political representation.

During my time as the Convention of Scottish Local Authorities community wellbeing spokesperson, along with the then COSLA president Councillor Alison Evison, we convened a barriers to elected office working group, as we urgently wanted to understand why our council chambers were largely male and pale. At the time, there were fewer than 30 per cent women councillors and a very low number of people from minoritised communities or with disabilities in them. When we started to dig into intersectionality, it became very apparent that there was a mountain to climb before our council chambers and, indeed, the chamber that we are in today reflected the communities that we serve.

As a little side note, Councillor Kelly Parry and I did a wee act of breaking the glass ceiling. We became the first community wellbeing spokespersons to job share, as she went on maternity leave. Both of us were paid the full salary. That was a first. We need to recognise such achievements.

I thank Engender for the briefing that it provided to MSPs for this debate and for its efforts to dismantle structural sexism in order to increase women's social, political and economic equality. Like me, Engender knows that, by having women—disabled women, black and minority ethnic women, women who are carers and women on low incomes—in our chambers shaping policy and legislation, we make lives better. That was one of the key drivers for me when I first sought nomination. As a former Women's Aid worker, I saw local decision making result in the tendering of our specialist service. I wanted to be around the

table to ensure that our voices were heard and acted on. I often think of the saying "If you're not around the table, you're on the menu". What I did not expect was the level of intimidation and misogyny that I have encountered over the past nine years in office.

There are a few ways in which we can strengthen the bill to increase diversity and support that diversity when people are in office. First, how do we know what we do not know? Without a duty on the Scottish Government to survey candidate diversity and experience at all future local elections, we will not have robust equality monitoring data. Intersectional data on the protected characteristics of our elected representatives is vital in ensuring a high-quality democracy. I will always campaign for disaggregated gendered data. We simply do not have enough of that.

Secondly, candidate and elected member safety is key, because the toxic levels of abuse and harassment right now are having a chilling effect on women's participation in politics and on their decisions whether to stand again for elected office. Just last month, I was granted a five-year non-harassment order. I know that I am but one of many politicians who have faced threats and intimidation. Like Engender, I press the Scottish Government to look closely at incorporating the recommendations from the Jo Cox civility commission and to exempt costs associated with candidate safety from election spending limits.

Thirdly, we need to provide financial support to ensure participation. Like Pam Duncan-Glancy, I urge the minister to look at the successful access to elected office fund, which was administered by Inclusion Scotland and helped to alleviate financial barriers that disabled candidates faced.

Finally, how can the Parliament, our councils and, indeed, our political parties ensure that mentoring, support, coaching and training are available to ensure that those who are furthest from elected office are supported to get there and stay there?

The bill is our vehicle to increasing participation. I urge members to support it at stage 1.

The Deputy Presiding Officer: We move to the closing speeches.

13:59

Lorna Slater (Lothian) (Green): Democracy is a core value that everyone in the chamber shares, and radical local democracy is one of the four pillars of the international green movement.

Democracy is a journey—it is not something that we do just once, but a continuous process of achieving consent to govern. We are lucky to have

lived for so long in a democratic country with a peaceful transfer of power, but I worry that many people have forgotten that the peace, freedom and human rights that we enjoy are the products of democracy, and that undermining democracy places those invaluable things at risk.

We live in times when the value of democracy and the legitimacy of its processes are being questioned around the world. Power does not want to hear truth. Power is selective about which people it wants to listen to. Even in the UK, the Conservative Government purposely brought in measures to make it harder for people to vote, by requiring identification in order to vote in UK elections, thereby solving a non-existent problem of voter fraud but exacerbating a real and chronic problem of voter turnout. We know who the Conservative Government does not want to listen to; it purposely refused to extend the franchise because it fears the will of the people, including young people and immigrants who have come from certain places or circumstances.

I am proud that Scotland has updated and expanded the franchise and that we have a new opportunity to visit and improve our democratic processes. On the journey of democracy, we must always check in and ask ourselves who is getting a say and whose voices are being excluded.

One of the big challenges in our democracy right now is that a large proportion of people who have the right to vote do not do so. One of the purposes of democracy is to rebalance power by redistributing it from those who have it to the people. The people in Scotland who vote are just those who are able to jump through the hoops of social norms and voter registration processes and either arrange a proxy or postal vote or get leave from work, get to a voting station, and now, for UK elections, bring an accepted form of ID.

I have suggestions for how we can make it easier for people who are allowed and wish to vote but are unable to navigate that landscape. First, it should be an automatic expectation that all high schools support their students of 15 years or older to register to vote. There is strong evidence that people who start voting at 16 and 17 continue to vote in higher numbers than those who become eligible when they are 18. I am, of course, grateful to those schools that already do that.

Martin Whitfield: Would Lorna Slater go one step further and suggest that automatic registration at, say, 14 or 15 should take place, and that, over and above what they do already, schools should be required to facilitate an understanding of the democratic purpose?

Lorna Slater: I would be happy to support automatic registration, but I am not clear on whether that is a fully devolved matter. If it is, for

Scottish elections, I would certainly approve of automatic registration for young people.

Martin Whitfield might also wish to come in on my second point, which is that there should be a duty on Scottish public bodies to register people to vote when people engage with them. The member might point out that there should be an automatic registration when people engage with Scottish public bodies, and I would support that.

Of course, that needs to be paired with protections to assure people that being added to the electoral register would not bring adverse consequences from public or private bodies, such as being pursued for debt collection.

The Scottish Green group looks forward to working with the minister ahead of stage 2 on the proposed provisions around disqualification. Safeguarding constituents is a key concern, and the proposed criteria seem like an obvious area for disqualification.

We want to ensure that we have fully thought through the detail and potential consequences of creating a power to dismiss those who have been democratically elected by their constituents.

Getting all nerdy and technical about election systems and processes is something that the Scottish Greens get very excited about. We are pleased to participate in the debate and are very much looking forward to working with the minister and other members on the bill as it moves forward.

14:04

Michael Marra (North East Scotland) (Lab): I thank all members for their participation in the debate. It is clear that democracy and our democratic institutions, not only in this country but around the world, are beset by significant challenges. Many of those challenges are based on the issue of whether the populace trusts that institutions work for them and are responsive to their needs. Much of that is about outcomes and whether people feel that their lives are getting better or worse. People want to know whether the political system, as established, works for them, their family and their community. Those questions are all legitimate and are at the core of why people lose trust in institutions.

That is the substance of the political debate that we are engaged in at the moment. We will have a general election in a matter of days, and we also engage in political debate day by day in this Parliament.

The bill that is in front of us deals with the structures around that, which need continuous revision. Those structures inform the issue of trust and enable us to represent our policies. Colleagues from across the chamber have made

strong points about representation and about how the people who are elected have an impact on the decisions that we make, the character of our discussions and the outcome of our policies. When we make rules that determine who can represent us, we determine the trust that people will have in us in the long-term—or so the theory goes.

It is right for us to review and revise the many technical provisions that the minister set out in his opening statement and which I am sure he will speak more about in closing. Scottish Labour agrees with the principle of reform and agrees that we should take action.

There have been many suggestions today about where we might go further, and there will be an opportunity for members to influence the bill as it progresses through stage 2. There are broad opportunities regarding diversity. Several members have made specific points about visually impaired people and the provisions that could be put in place in the short term, before the next Scottish Parliament elections, to ensure that we can engage with that group in society. That should be reasonably straightforward. The minister has set out how he is already engaging with that, and I hope that practical action will be forthcoming.

We have also heard a little about how we must be careful about where the responsibility for some matters lies and whether that sits with the Government or Parliament. That is an interesting discussion, but we must absolutely ensure that Parliament, rather than the Government, makes the rules.

Colleagues have spoken about the significant growth in the number of framework bills coming through Parliament, which brings significant democratic problems. The Finance and Public Administration Committee has seen deeply inadequate costing for such bills, which leads to an impact on public finances. The fact that so many provisions are now set out in secondary legislation, which has a lower threshold for parliamentary scrutiny, is a worry to us all. It is right that that point has been repeated in the debate.

Bob Doris: I am wondering about the balance between Parliament and the Government. The responsibility for dealing with the Electoral Commission's five-year plans sits with the Scottish Parliamentary Corporate Body. What is Mr Marra's position on that?

Michael Marra: That is certainly worth consideration, and Mr Whitfield made a contribution on that basis. At the moment, the Government and Parliament seem to have a rather strange idea about what the corporate body is for, and we are asking the corporate body to do

things that it is not meant to do or was never established to do. We must look more broadly at what we are asking of it; I know that members of that body share those concerns.

I will move towards a conclusion by touching carefully on a couple of other issues, one of which is limited leave to remain. I was glad to hear the minister speak constructively about some of the challenges that arise from that and about how it may be open to abuse from foreign powers. We should look more broadly at that at stage 2.

I will close, as Martin Whitfield did in his role as committee convener, with the Gould principle of ensuring that the work is done quickly so that, when we engage in the 2026 election, everyone understands the rules on which it is based and we can rebuild trust in our politics.

14:09

Jeremy Balfour (Lothian) (Con): I welcome the opportunity to speak. It is clear that there is a fair amount of consensus among all the parties on a way forward. That has been helpful as we have reflected on the changes that might come at stages 2 and 3.

Annie Wells said that we want an open and accessible election process. I think that we all want that, and we want to keep reviewing the situation to ensure that it is open and accessible to everyone who lives in Scotland not only to take part in voting but to have the opportunity to stand for election. Although there is consensus, amendments will undoubtedly be lodged by the Government and members of other parties at stage 2.

I thank Martin Whitfield and the Standards, Procedures and Public Appointments Committee for producing such a detailed report, which has given those of us who have not had the opportunity to hear the evidence a very good understanding of what the issues were.

I will pick up on something that Pam Duncan-Glancy said. She is absolutely right that we need to ensure, particularly for people with a disability, that the Parliament is more open and that people do not have a fear that their disability will be used against them if they stand in an election. I have the privilege of being part of the Commonwealth Parliamentary Association for this region, and it is interesting how many members in other jurisdictions who have a disability are not willing to declare that, because they feel that it will affect them. We are in a better place, but there is still work that can be done. Like my colleague Mr Simpson, I look forward to seeing the proposals that she will bring forward in stage 2 amendments.

Pam Duncan-Glancy touched on the access to elected office fund. It is very disappointing that it has not been possible to use it for the UK election—that was a backward step by Westminster. I am not convinced that the fund's availability should be at the Government's discretion. I would be interested to explore with the minister the question whether the fund could be put into the bill to ensure that, if there is a Scottish Parliament election or a local authority election, the fund will always be there and funded appropriately by whoever is in government.

I wish the minister well in his discussions with my colleague Mr Simpson over the summer—I am sure that those conversations will be a delight for him. I look forward to seeing some detailed proposals coming forward from that.

I will pick up the remarks that Daniel Johnson and Gillian Mackay made on people with visual impairment. We are taking a very long time on this. I have had the privilege of going to a number of sessions like the one that Gillian Mackay described. In the 21st century, we must be able to do something more quickly. I urge all of us to move forward on this, and I am sure that the minister will get support on that from other members. There are one or two areas that I would, not necessarily this afternoon, be interested in—

Gillian Mackay: Will Jeremy Balfour give way?

Jeremy Balfour: Yes.

Gillian Mackay: I thank Jeremy Balfour for taking my intervention. As well as there being adaptations for people with visual impairments, I note that we have not even started looking yet at a range of other impairments that impact people's ability to participate in the democratic process. Does Jeremy Balfour agree that we need to do much more across the disability spectrum to consider what more we can do to involve people in the democratic process, including in voting in elections?

Jeremy Balfour: I absolutely agree. I hope that we have moved beyond thinking that, if there is a ramp, a place is then accessible. However, I still think that we have a long way to go.

On the point made by Pam Duncan-Glancy, I wonder whether we should all, in our political parties, look at how we select our candidates. We are maybe not seeing people from other minorities coming forward in the selection process.

I would like the minister to reflect on a couple of points in relation to the duty of returning officers to provide support for those with disability, which is part of the law in the UK. He reflected that that was not necessarily needed. I am sure that most returning officers do a very good job but, if we are reviewing the matter, there should be legislation to

ensure that returning officers do everything that they can to make polling stations accessible.

I note from the financial memorandum that no such pilots are planned, which slightly concerns me. We have talked about having such pilots, but there is nothing about them in the bill. I hope that that will happen quickly.

My time has gone, so I will say that I welcome the bill. As Mr Simpson pointed out, we will be voting for it at stage 1. Along with other members, I look forward to engaging with the minister to make the bill even better at stages 2 and 3.

14:16

Jamie Hepburn: I will try to keep my remarks constrained, not least because I was urged to by some unnamed members before because the canteen apparently closes at half-past 2. I will try to let them avail themselves of the opportunity to get fed.

I thank members for their contributions. This has been a considered and consensual debate, which reflects the fact that, largely, members welcome the bill. Clearly, there are some ideas for further deliberation and consideration. I reflect that that is the usual experience with any legislation, but so far as the bill is concerned, I think that we are operating on a shared basis of seeking to refine and improve what we have before us. In that regard, I echo the remarks of Mr Whitfield.

Martin Whitfield: Will the minister take an intervention?

Jamie Hepburn: We will see whether I also agree with these remarks, Presiding Officer.

Martin Whitfield: Perhaps this will allow the minister to disagree with me. Would he find it helpful to put on the record in the chamber the Scottish Government's approach towards automaticity of boundary changes, which is an issue that has sat around the bill? Might the bill facilitate its journey forward in an easier way?

Jamie Hepburn: I was going to cover that issue, which has been raised by Boundaries Scotland. I am broadly sympathetic to the idea, which I recognise and see the merits of. We would all recognise that it would involve a fairly substantial change from where we are now, so it merits further consideration. I will engage with the chair of Boundaries Scotland to begin that process.

That brings me back to the point on which I was agreeing with the committee convener. I similarly encourage people to engage with the bill over the coming period, in advance of the start of stage 2. I make clear again my willingness to engage with all members, just as I have with Mr Simpson, who, I

can say to Mr Balfour, has been his usual effervescent ray of sunshine in his engagement with me, and I am sure that he will continue to be so.

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): I am sorry I missed that.

Jamie Hepburn: I will invite Mr Robertson to the next meeting so that he can see for himself.

I genuinely recognise the reasonable point that has been made about who should have ownership of this activity. Should it be the executive—the Government—which has introduced the bill, or should it be Parliament? That is a legitimate area for us to consider. I go back to the point that I made earlier that it is perfectly possible for Parliament to make its own proposals, and I encourage it to do so where there is a sense that there is a desire for that. The Government would engage with that process.

I also reflect on what we have laid out in the bill. We are not trying to take on ownership of the process of elections; we are seeking to refine and improve the process. In fact, if we look at what we have set out in the bill, we are ceding some responsibilities. We are looking to put the Electoral Management Board for Scotland on a statutory footing. I know that the committee wanted more information on that, which we will provide. The responsibilities that are in the gift of the Scottish Government on the procurement of electronic vote counting will be transferred to the Electoral Management Board; that is an example of us ceding responsibility to another party. In asking the Electoral Commission to have a five-year plan for its devolved activities, we are making sure that the Parliament, not the Government, has responsibility for scrutinising that.

I agree with the convener of the SPPA Committee, who correctly said that this is not a framework bill, which is a term that we are hearing increasingly. The bill contains a substantial range of measures, which are set out in primary legislation. It is not illegitimate for there to continue to be regulation-making powers that can be taken forward through secondary legislation. That is normal and sensible, because things develop and change.

Daniel Johnson: Will the minister give way?

Jamie Hepburn: I am not ignoring Mr Johnson. I am just finishing my point and I will come to him in a moment.

It is not unusual for that to be the case, because the law changes and we have to be adaptive and responsible, and bringing back primary legislation every time creates a burden on the Parliament to go through the process for that. Of course,

secondary legislation is rightly scrutinised by the Parliament as well. I made a commitment to the committee that I would bring forward details on the constitution of the Electoral Management Board, and we will do the same for secondary legislation.

Daniel Johnson: Let me withdraw my description of this as a framework bill. One of the issues with the mechanisms for secondary legislation is the ability of the Parliament to scrutinise, produce reports on and amend it. Given the sensitivity around the function of elections, could the minister reflect on that point in general? Will he set out how he might bring forward draft proposals to enable members of the Parliament, particularly in the SPPA Committee, to air their views and thoughts so that they can be incorporated in the final draft of the secondary legislation that the Government will put before the Parliament, given that it is so critical to many of the proposals in the bill?

Jamie Hepburn: I welcome Mr Johnson's new-found and correct recognition that this is not a framework bill. The DPLRC is starting to undertake some broad work in this area and it has reached some conclusions. I have already committed to providing additional information to the committee so that it can scrutinise it further.

A number of other issues have been raised. I do not know how much time I have to go through them all. Mr Simpson and others raised the issue of people who have limited leave to remain standing for election. The UK Government has signed treaties allowing nationals of Denmark, Luxembourg, Poland, Portugal and Spain who have limited leave to remain to stand for council elections, so it is not unusual or peculiar to Scotland should we choose to legislate in that area.

Gillian Mackay asked us to consider going further on who has the right to vote in Scotland. I make the observation, and I am sure that she would agree, that we already have a generous voting franchise in Scotland. We would be happy to meet to see what else we might be able to do.

Bob Doris spoke about rejected or spoiled ballot papers. As he knows, I know the Canal ward well, because I cut my teeth campaigning alongside him in the Glasgow Maryhill constituency back in the day. He spoke about there being a statutory duty for the Electoral Commission to do work on spoiled ballot papers. We are exploring an amendment that would place a duty on the commission to report on what it and other bodies such as returning officers, who also have a role, are doing to improve voter education, specifically in relation to reducing the number of spoiled ballot papers.

A number of members discussed the importance of the pilots that are being taken forward. I welcome the fact that people are recognising their importance. Pilots can continue to inform and improve our process. Similarly to a point that I made in relation to the engagement fund, it is important that we do not become overly prescriptive about what the pilots should be. We should embed flexibility within our system, because, despite our collective wit, issues that none of us has yet considered will arise in the future.

To members such as Pam Duncan-Glancy and Jeremy Balfour who have raised what we might be able to do to improve diversity through pilots and funding mechanisms, I say that I am happy to meet them to engage on that.

Elena Whitham talked about the Engender survey, which I am aware of. I recognise the recommendation on the collection of data and information. Of course, we undertake a candidate survey already, but Engender noted that the response rate to our survey is low. I agree—the rate is 28 per cent, despite significant resource commitment from the Government and the support of returning officers, political parties, academics, COSLA and others. I will say that creating a statutory duty in and of itself might not increase the response rate. In Wales, there is such a duty, and the response rate to the 2022 local government candidate survey there was just 12 per cent. Our view as a Government is that that exercise demonstrates the importance of continuing to press the UK Government to commence section 106 of the Equality Act 2010, which would, if commenced, require registered political parties to publish information relating to the protected characteristics of applicants for nomination and/or candidates in elections to the UK Parliament, the Scottish Parliament and the Senedd. We will continue to pursue that with the UK Government.

I am pleased that there seems to be wide-ranging support for the bill. We are considering electoral reform during a year in which not only will we celebrate a quarter-century since the first election to the Scottish Parliament but more than 2 billion voters will be going to the polls in more than 50 countries—including in Scotland and the UK a week today. Public participation in free and fair elections is vital in a democracy, and the bill will help to strengthen elections in Scotland. I urge Parliament to support the motion in my name.

The Presiding Officer (Alison Johnstone): That concludes the debate on the Scottish Elections (Representation and Reform) Bill at stage 1.

Scottish Elections (Representation and Reform) Bill: Financial Resolution

14:27

The Presiding Officer (Alison Johnstone): The next item of business is consideration of motion S6M-13523, in the name of Shona Robison, on a financial resolution for the Scottish Elections (Representation and Reform) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Elections (Representation and Reform) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.—[*Shona Robison*]

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

Motion without Notice

14:27

The Presiding Officer (Alison Johnstone): I am minded to accept a motion without notice under rule 11.2.4 of standing orders that decision time be brought forward to now. I invite the Minister for Parliamentary Business to move such a motion.

Motion moved,

That, under Rule 11.2.4, Decision Time be brought forward to 2.28 pm.—[*Jamie Hepburn*]

Motion agreed to.

Decision Time

14:28

The Presiding Officer (Alison Johnstone): There are three questions to be put as a result of today's business. The first is, that motion S6M-13746, in the name of Martin Whitfield, on behalf of the Standards, Procedures and Public Appointments Committee, on standing order rule changes—procedures on consent in relation to United Kingdom Parliament bills—be agreed to.

Motion agreed to,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 4th Report, 2024 (Session 6), Standing Order Rule changes - Procedures on consent in relation to UK Parliament Bills (SP Paper 627), and agrees that the rule changes to Standing Orders set out in annexe B of the report be made with effect from 2 July 2024.

The Presiding Officer: The next question is, that motion S6M-13758, in the name of Jamie Hepburn, on the Scottish Elections (Representation and Reform) Bill at stage 1, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Scottish Elections (Representation and Reform) Bill.

The Presiding Officer: The final question is, that motion S6M-13523, in the name of Shona Robison, on a financial resolution for the Scottish Elections (Representation and Reform) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Elections (Representation and Reform) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.

The Presiding Officer: That concludes decision time. I take this opportunity to wish all members and staff a good recess.

Action Mesothelioma Day 2024

The Deputy Presiding Officer (Liam McArthur): The next item of business is a members' business debate on motion S6M-13487, in the name of Marie McNair, on action mesothelioma day 2024. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises Action Mesothelioma Day 2024, which is on 5 July 2024; understands that mesothelioma is a rare cancer that is usually caused by exposure to asbestos, with tiny fibres getting into the lungs and damaging them over time; notes that the cancer most commonly occurs in the lining of the lung, but can also occur in the lining of the abdomen and the lining of the heart, with symptoms including shortness of breath, chest pain, coughing and tiredness; understands that there are around 2,700 new mesothelioma cases in the UK every year, including around 200 in Scotland; recognises that Action Mesothelioma Day is a national event to raise awareness of asbestos and mesothelioma, raise vital funds to support the research into tackling mesothelioma, and to remember and support those who have been affected by the disease; notes with interest that a £2.1 million Cancer Research UK grant has been awarded to the University of Glasgow with the aim of answering the question of why it can take decades for exposure to the fibrous mineral to develop into cancer; applauds the long-standing and ongoing work of the Clydebank Asbestos Group, which has provided information and support to people with asbestos-related conditions for over 30 years; notes the calls for continued research into mesothelioma, and hopes for a successful Action Mesothelioma Day 2024.

14:30

Marie McNair (Clydebank and Milngavie) (SNP): I am pleased to lead our debate on action mesothelioma day for a third year. The issue is of huge importance to my constituents, so I will continue to raise asbestos-related issues and seek truth and justice as often as I can.

I thank my parliamentary colleagues for their support in signing my motion. Asbestos campaigners deserve cross-party support, so I call on Labour, Liberal Democrat and Alba members to sign the motion, too.

Mesothelioma is a cancer that is usually caused by exposure to asbestos fibres. I congratulate ActionMeso and all the support groups up and down the country on their efforts in raising awareness of the disease. As part of that, members of the public are encouraged to "Go Blue for Meso". In that regard, given that the United Kingdom general election will be happening soon, I think that it is just as well that action mesothelioma day will be on 5 July and not before.

I welcome the Clydebank Asbestos Group to the public gallery and thank it for supporting today's debate. It has been assisting asbestos victims for more than 30 years and has campaigned tirelessly

for truth and justice. It is there, and it is always there for my constituents at their time of greatest need. I thank the group for everything that it does, and I cannot stress enough that I am on its side.

Unfortunately, since our previous meso debate, two members of the group who were instrumental in the tenacious fight for truth and justice—Bob Dickie and Hope Robertson—have passed. I thank all the MSPs who signed my recent Scottish Parliament motion paying tribute to them. It was an honour to present copies of the motion to the families on international workers memorial day.

Sadly, just this month, Bob Dickie's wife, Isabel, also passed away. I know that the Clydebank Asbestos Group was heartbroken by that news, and I am, too. I knew Isabel well, and although Bob is famous for his role as Clydebank convener during the Upper Clyde Shipbuilders work-in, it was no surprise to read recently in the book "Crisis on the Clyde" by Jack McGill about Isabel making up the pay packets for the workers with money from the fighting fund.

It is right that I, as the MSP for Clydebank and Milngavie, highlight industry on the Clyde as part of this debate, because the unwanted legacy of Clydebank's industrial heritage is extremely high levels of mesothelioma in our town. Clydebank was once described as the mesothelioma capital of Europe due to its having the highest death rates. More recently, Health and Safety Executive statistics showed that the local government area that covers Clydebank has the second highest male mesothelioma death rate in the United Kingdom, and it also has the highest female mesothelioma death rate in Scotland and the fourth highest in the UK.

John Brown & Company's shipyard, the Singer sewing machine factory and Turners Asbestos Cement Company employed many folks from our town. Unfortunately, those industries prioritised profit and production over the safety and welfare of workers. The testimonies from workers at the asbestos factory in the book "Lethal Work: A History of the Asbestos Tragedy in Scotland" by Ronald Johnston and Arthur McIvor make horrendous reading, with one worker noting:

"When you went in the door of Turners asbestos there was a Factory Act with all the stuff. The only problem was that you couldnae see through it with the layer of asbestos cement on the glass".

The risk to workers' families is clear, too, with the wife of one of the workers saying, about asbestos dust:

"I used tae take his overalls and take them out tae the stairs and brush them before I could wash them".

The irony of a national health service hospital now being located on the site of the old asbestos factory is not lost on my Clydebank constituents. It

is no wonder that I support the Scottish Hazards group's call for the devolution of health and safety law as, even now, the legislation needs to be strengthened.

We need to respond to the crime of asbestos exposure in several ways. Cancer Research points out that only four in 10 people who are diagnosed with mesothelioma in Scotland survive their disease for one year or more. Searching for new treatments is vital, so I thank Cancer Research and the Scottish mesothelioma network for the work that they are doing on clinical trials, early detection and better treatment.

Cancer Research highlights that mesothelioma can take more than 40 years to develop. For me, that raises a big concern with regard to people who are now being diagnosed with mesothelioma, because there is often no evidence of those people having an industrial workplace history.

I have raised a case in the Parliament from the Clydebank Asbestos Group involving a woman in her thirties who feels that her exposure happened in the school that she attended. There is growing evidence to support asbestos exposure across a range of public buildings and others as the cause of contracting asbestos cancers. That is why I have called for the phased removal of asbestos from the built environment, starting with schools. The Cabinet Secretary for Education and Skills has agreed to meet me and the Clydebank Asbestos Group about that.

We must deal with asbestos on all fronts, and we must support those who are diagnosed with mesothelioma and other asbestos-related illnesses by offering help when it is needed. That includes providing a fair and just social security and compensation system.

It is a disgrace that, despite being in place since 1948, the industrial injuries scheme has been left largely unreformed, and decades have been wasted with regard to including other asbestos-related cancers and ending the exclusion of women from entitlement. Department for Work and Pensions closures have removed expertise and caused delays that penalise those with mesothelioma, when time is, unfortunately, not on their side. We must work together to ensure that the new employment injury assistance scheme is designed to provide wider, more compassionate and quicker support, which is currently denied to many under the UK scheme.

The potential for people to be denied justice because of a three-year time bar has no place in a just compensation system. The Scottish Law Commission report on that issue, which is due to be published very soon, can provide solutions to that injustice.

I have sought assurances in the Parliament that the Scottish Government will act quickly to implement any proposed recommendations and draft legislation. The current position of some asbestos victims losing out must end once and for all.

We must keep going and make more progress. Compassion and the demand for truth and justice should drive the way forward. Any other approach should not, and will not, be forgiven.

14:38

Alexander Stewart (Mid Scotland and Fife) (Con): I am pleased to speak in the debate, which marks action mesothelioma day 2024, and I thank Marie McNair for bringing this important members' business debate to the chamber once again, for the third year in a row.

Mesothelioma is a rare and aggressive form of cancer, and it is one of the most important issues that I have dealt with in my role as co-convenor—along with the other co-convenor, Emma Harper—of the cross-party group on lung health. I therefore welcome the fact that members have the opportunity to speak on this issue before the action day takes place on 5 July.

As we have heard, the disease affects households and individuals across the whole of Scotland and the United Kingdom, but certain areas have historically been far more affected. For example, statistics published by the Health and Safety Executive show that Fife, which is part of my region, is one of the areas with a high prevalence of the disease, and almost 500 people there have died from the condition since 1981. That is a large number of individuals.

The help and advice that are provided by support groups operating in communities across Scotland are key to taking on the issue. Marie McNair spoke about the individuals from Clydebank Asbestos Group, in her constituency, and I, too, am delighted to see that some of them have come here this afternoon. I take this opportunity to pay tribute to the fantastic work that the group does in supporting individuals.

Likewise, I pay tribute to an organisation in my region, Breathe Easy Clackmannanshire, based in Alloa, which supports the work of the British Lung Foundation and provides services for those facing lung-related health issues. Just last year, the group launched its befriending service, which allows it to reach out to individuals who are unable to attend some Breathe Easy sessions in person, as the service gives people who are housebound the opportunity to have a connection and to be involved. All too often, sufferers feel that they are on their own, and it is important for as many people as possible to know that support is just a

phone call away, giving them moral support in facing the condition and assuring them that they are not on their own.

We know that the disease does not just affect a victim's physical health; it takes a toll on their mental wellbeing, too. The support and empathy that small dedicated organisations provide, in towns and cities right across Scotland, is vital in the fight against the disease.

In increasing awareness of the disease and its effects, it is important that we have initiatives such as the action day. Too often, we hear stories of individuals who do not speak up or seek help, dismissing their pains or symptoms as not being of a serious nature, but they then find that it is too late to get things done. The Parliament has a role to play in increasing awareness.

We must continue to advocate policies that can better protect people from asbestos exposure, and we must continue to educate the public on the dangers of the condition. There are many steps that need to be taken and put in place, such as better support for patients, more focused research and improved safety regulations. Those will happen only if the Parliament continues to make its voice heard. Indeed, I pay tribute to Marie McNair for being one of the voices year on year.

I welcome today's debate, and I join other members in pushing for further action on the issue. It is important to each and every one of us that we protect and support our constituents in our regions and constituencies from this awful condition.

14:42

Bill Kidd (Glasgow Anniesland) (SNP): As always, it is a privilege to speak in this debate to mark action mesothelioma day. I pay tribute to my colleague Marie McNair for securing this important debate, for continuing to highlight the issue over the years and for her continued dedication and support on the issue.

As the motion states, mesothelioma is a rare cancer that is usually caused by exposure to asbestos. Although the dangers associated with asbestos exposure were first discovered at the beginning of the last century, it was not until the 1950s and 1960s that the link between exposure and mesothelioma was firmly established. Since then, there has been progress through the dedication of groups such as Action on Asbestos, Clydebank Asbestos Group and other dedicated campaigners. They have been invaluable to the progress made, and I commend and thank all those involved for all their work. I also thank the various Scottish Governments that have committed much to tackling mesothelioma and the

effect that it has on all those who are affected by it.

As we have entered this century, our understanding of mesothelioma has evolved. Something that was once solely associated with the heavy industries is now predominantly seen in relation to the construction industry, where joiners, electricians, plumbers, painters and labourers all used asbestos, or were in proximity to those using it, in the building of houses, schools and hospitals.

Another worrying trend is beginning to emerge, in that the asbestos materials that were used to build those houses, schools and hospitals became damaged and degraded pretty quickly. Now, the occupiers and users of those buildings are paying the price. That is coupled with the historical growth of women in the workplace. That is a good thing but, sadly, we are now seeing a rise in female cases of mesothelioma and other asbestos-related illnesses among those who worked in education settings in particular. As I understand it, Thompsons Solicitors is currently working on the cases of 76 women, with eight of those being for teachers who have the illness or who have died from mesothelioma. There are also cases relating to the exposure of tenants in local authority housing.

It is imperative that those new trends are taken into account in further developing the Government's strategy on dealing with people affected by this illness. I urge the minister to acknowledge that in her remarks.

I also ask the minister for her views on the worrying news that the UK Industrial Injuries Advisory Council has proposed new recommendations for those suffering from pneumoconiosis. If the incoming UK Government adopts those recommendations, it will have a devastating effect on those suffering from asbestosis illnesses, who will see a possible 14 per cent reduction in their industrial injuries disablement benefit. I am sure that the minister will agree that we need to do more, not less, to support victims and their families, who are suffering through no fault of their own. As the Cabinet Secretary for Social Justice said in her ministerial foreword to "Next steps on delivery of Employment Injury Assistance", the Scottish Government has, since 2016,

"delivered 14 new social security benefits, 7 of which are completely new, and established Social Security Scotland as a new public service founded on the principle of treating people with dignity, fairness and respect."

That is something that all those suffering from mesothelioma and other related illnesses most certainly deserve.

14:46

Carol Mochan (South Scotland) (Lab): I thank Marie McNair for securing this important debate again this year. On behalf of Scottish Labour, I welcome action mesothelioma day 2024, which we will mark next Friday.

As we have heard, mesothelioma is a rare and hard-to-treat form of cancer. Asbestos was banned more than a quarter of a century ago, but many worked in environments where it was present, and it can still be found in buildings across Scotland. As other members have said, the issue needs to be taken very seriously by Government. Each Government, whether at UK or Scottish level, must do all that it can to ensure that we get rid of this. Almost 3,000 new cases are diagnosed every year in the UK—200 of them in Scotland—so it remains of the utmost importance that we raise awareness of the symptoms of the illness and encourage people to be cautious and have their symptoms checked, because, as with other forms of cancer, identifying the illness quickly can prolong life.

It should not go unmentioned that mesothelioma is in many ways an industrial illness. Asbestos was prominent in mining, and it is therefore no surprise that former coalminers and their families have been asking for protection and compensation right up until today. As others have said, as the impacts of the environment in which miners worked became more apparent, they realised the connection. I fully support those calls from miners, who played such an important role in this country's industrial heritage and risked their lives in what were often unsafe environments. Miners and their families really created a spirit in their communities, and it is right that we stand with them in times of illness, particularly illness related to the work that they did.

I want to emphasise a key part of the motion, which is the focus on investing in research. Improving our knowledge base and understanding of an illness is the only way in which we can truly tackle it. Mesothelioma, like other cancers, is a complex illness, with tiny fibres getting into the lungs and damaging them over time. As we have heard, that is due to exposure to asbestos. As we mark this action day, we must redouble our efforts to secure investment in research in the hope that we can effectively support those who are affected by this terrible disease. I share Marie McNair's interest in the significant grant that Cancer Research UK has given to the University of Glasgow to conduct studies to further understand why it can take so long after exposure for cancer to develop. The research work is necessary. With it, alongside the efforts of this place, and the work that is going on in many of our communities—many key groups working with those affected by

asbestos are in the gallery—we can effectively raise awareness of symptoms and, I hope, improve outcomes in the long term.

I again thank Marie McNair for bringing the debate. As has been said, this action day cannot be just a one-off event. We MSPs must come together and work together. We must take a united position in the chamber and work to make proper developments in research to support those who are already suffering from the condition and to tackle the big issues that the Governments of this country need to look at in the long-term to ensure that we reduce and eradicate this dreadful disease.

I commit my party to those efforts and I look forward to hearing other members' contributions.

14:50

Stuart McMillan (Greenock and Inverclyde) (SNP): I refer members to my entry in the register of members' interests, as I am a lifetime honorary member of Action on Asbestos.

I congratulate Marie McNair on securing this important debate. As she highlighted, asbestos-related conditions—in this case, mesothelioma—are still highly prevalent in society. Mesothelioma has no cure, and it does not solely affect people who have worked in our traditional industries.

The Cancer Research UK briefing for today was interesting and helpful. I will quote a few things from it throughout my contribution. The first couple of points that it is important to put on the record are:

“Only around 4 in 10 (44.3%) people diagnosed with mesothelioma in Scotland survive their disease for one year or more so the search for new treatments is vital”

and

“The UK currently endures the highest incidence of mesothelioma worldwide, with the disease more prevalent in men due to occupation-related exposure, and rates significantly higher in the West Coast of Scotland than the Scotland average with around 100 of the 200 new cases in Scotland each year in the region.”

As I said in the debate last year, I will never understand why there was such a laissez-faire attitude from Governments with regard to health and safety in society when it came to asbestos.

I recognise the importance of marking days such as action mesothelioma day to remind us that there is still a lot more to be done in that area. That is particularly important in my constituency of Greenock and Inverclyde. As the Cancer Research UK briefing indicates,

“There was widespread industrial use of asbestos between 1950 and 1980, particularly in Glasgow and the surrounding area, as the material was manufactured in

towns such as Clydebank and used in much heavy industry like ship building, which the River Clyde was famed for.”

My area was built on shipbuilding and heavy engineering. Over my 17 years as a parliamentarian, I have dealt with a number of constituents who have had asbestos-related conditions, and I have raised the issue in the Parliament, as members will be aware, Bill Kidd touched on some of the health and safety aspects of asbestos, but the fact that we are still talking about it in the Parliament and in society is sad, disheartening and frustrating.

The amount of investment that goes into finding solutions and cures, to make life better for people with asbestos-related conditions, is absolutely crucial. The Cancer Research UK briefing indicates a couple of examples. The more such investment that can go in, the better.

I have touched on my assistance to constituents, but I also put on the record the long-standing and invaluable work of Action on Asbestos in helping many people across the country. Its work and campaigning have led the way in providing support for people with asbestos-related conditions and obtaining financial recompense for them.

As was touched on in my speech in last year’s debate, the Scottish Law Commission’s 11th programme of law reform was put out for consultation in 2022, and the report is due to be published by mid-2024. I suspect that purdah rules have probably got in the way of its publication, but I look forward to reading about the area of personal injuries. I have spoken to Lady Paton about that, because I know that she was interested in and supportive of it.

Our generation owes past generations for the efforts that they put in to build and rebuild the communities that we have today. It is therefore up to us as a society—not just in Scotland or the UK, but elsewhere—to do whatever we can to help people.

I again thank Marie McNair for securing this hugely important debate on action mesothelioma day.

14:54

Richard Leonard (Central Scotland) (Lab): I remind members of my voluntary register of trade union interests.

I thank Marie McNair for once again lodging this motion for debate this year. It has become something of a custom for her to do so, and something of a custom for this debate to take place every year as one of the final acts on the final day of Parliament before we go into summer recess.

But a part of that custom is missing this year, because Bob Dickie is sadly no longer with us. One of the outstanding leaders of the remarkable and historic Upper Clyde Shipbuilders work-in, in the half a century that followed, Bob Dickie never gave up on either the conviction of his principles or the depth of his determination—and nowhere more so than in his tireless campaigning for truth and justice for asbestos and mesothelioma sufferers and their families. I am reminded of E P Thompson, who, on the passing of Raymond Williams, wrote:

“It is as if a fixed point in the landscape has suddenly dissolved.”

That is what it feels like for many of us today.

One of the certainties that Bob was so very clear about was this: we live in a class-based society. There is a class divide. We have an economic system based on the legalised right for those who own the wealth to exploit those who create the wealth in order to enrich themselves. One facet of this is the negligent exposure of working women and men to toxic hazards, to deadly risks, to killer diseases at work.

Mesothelioma is, by any measure, one of the most awful ways to die. Survival rates are poor—death follows quickly after diagnosis. That is why, next Friday, on action mesothelioma day, we will pay tribute to Action on Asbestos, to the Clydebank Asbestos Group and to all of those campaigners for all of the work they do all year round, but we will also remember our families, our friends, our comrades and all of those we have known who have been lost to this terrible disease. It is because of them that we keep fighting on.

And there remains much unfinished business. Most recently, we have seen the family of the late Robert Crozier being forced to challenge his former employer Scottish Power UK plc in court battle after court battle. Despite having previously settled a damages claim for pleural plaques and asbestosis in 2014, so, despite accepting fault and admitting negligence, Scottish Power has been obstructing the claim of Robert Crozier’s immediate relatives to damages for the mesothelioma which he died of in 2018.

Just a few days ago, the inner house of the Court of Session under Lord Carloway refused Scottish Power’s latest appeal in this case. So I say to Scottish Power from the Scottish Parliament: why are you resisting? Stop serving the narrow interests of your shareholders and the insurance industry, and start serving the wider interests of your workers, their families and the ends of justice. And I say to the Scottish Government: get on with the Scottish Law Commission’s recommendation. Sweep away the single action rule once and for all, and stop leaving

it up to families like the Croziers to take on a multinational corporation and an army of lawyers simply to get what they are due.

Finally, Presiding Officer, a week today, people will go to the polls. It will be a chance to overturn the culture of deregulation, to strengthen the rights of working people, to repeal anti-trade union laws and to extend the power of health and safety at work. That is what is at stake, and I hope it is a chance that people will seize.

14:59

The Minister for Public Health and Women's Health (Jenni Minto): I, too, thank my colleague Marie McNair for bringing her motion to the chamber for debate, and I recognise the work that she does to support people who are living with mesothelioma to seek truth and justice. I also recognise the work that Alexander Stewart and Emma Harper do in that area, as members of the cross-party group on lung health, and I acknowledge the valuable contributions that my colleagues have made to today's debate.

Beatrice Wishart (Shetland Islands) (LD): I thank the minister for giving way. I take the opportunity to join others in congratulating Marie McNair on securing this important debate and to offer the support of Scottish Liberal Democrats for the action meso—I cannot even say it—day.

Jenni Minto: I thank Beatrice Wishart for that contribution. The fact that this is the third year in which Marie McNair had led a debate on such a motion underlines the importance of continuing to raise awareness and keep the pressure on to ensure that people who are living with the condition, and their families, are supported properly.

I think that I might have said this last year, but I was first introduced to meso—I cannot say it either, so I will just say meso—by my husband, who was making a documentary about Clydebank for BBC Scotland. The stories and experiences that he came home with have stayed with me for a number of years—almost three decades.

On behalf of the Scottish Government, I recognise everyone who is affected by this type of cancer, who include not just the individuals who are diagnosed but their loved ones. Adjusting to a cancer diagnosis is never easy, and that can be especially true for rarer cancers, which can leave individuals feeling isolated and worried at an already very distressing time. I therefore thank the third sector organisations and groups that provide valuable information, help and support to anyone who has been affected by meso and asbestos-related conditions.

The importance of Meso UK's annual action day to raise much-needed awareness of this cancer cannot be overstated, and I am delighted that the Scottish Government will be going blue for meso by lighting up St Andrew's house and Victoria Quay.

I give special thanks to the Clydebank Asbestos Group, which, I am very pleased to note, has been able to join us today, and I pass on my heartfelt condolences for the loss of the group's key activists. I say to its members: I know that you will continue in their name with them sitting on your shoulders.

I also thank the Less Survivable Cancers Taskforce for its work, and I note the work of Alexander Stewart's group in Alloa.

As I have said, the work of third sector, community and social care partners is absolutely critical in supporting those who are affected by meso, alongside our NHS, and they play a vital role in supporting and signposting the work of the Scottish Meso Network. The network, which works in partnership with Macmillan Cancer Support, Meso UK and NHS Scotland, is made up of a team of clinicians from across Scotland who collaborate to share best practice and provide high-quality clinical care, information and support. The network ensures that all patients have equitable access to potentially life-changing clinical trials, where treatment options are otherwise extremely limited.

Widespread exposure to asbestos in the past is known to be a major contributing factor to people developing meso. I note the contributions of all the members who reflected on that. As well as seeking to prevent exposure to asbestos, which has been banned in the UK since 1999, the Scottish Government remains committed to ensuring that appropriate medical care is in place for those who have been affected by asbestos exposure. We also ensure that individuals have appropriate rights to compensation.

In response to Bill Kidd's point about the Industrial Injuries Advisory Council, which is a UK Government body, I point out that Scotland has separate legislation to support people who have been affected by asbestos, and that the Scottish Government would expect the UK Government to consider fully the consequences of accepting any recommendations that would have an impact on people who receive industrial injuries disablement benefit.

The Scottish Government is committed to ensuring that our replacement benefit—employment injury assistance—better meets the needs of disabled people in Scotland, while protecting current payments, which is, as always, our utmost priority. Although it will take time to

deliver a fully modernised benefit, our consultation, which closed this week, is an important first step in the wider reform of the UK scheme. In the meantime, we continue to monitor on-going research by the UK advisory council.

The law relating to secondary exposure has developed over recent decades and we are encouraged to see that those who have been affected are increasingly recognised. Where existing asbestos remains, licences are required to work with that and strict control measures, including personal protective equipment such as respirators, are used. Although those positive preventative policies are now in place, the unfortunate reality is that more individuals will continue to develop meso due to the prolonged period between initial exposure and diagnosis, and that we expect to see a rise in the number of cases in Scotland in years to come.

That is why, as Marie McNair, Carol Mochan and others all did, I welcome the £2.1 million awarded by Cancer Research UK to the University of Glasgow to fund research on how exposure to asbestos can go on to cause meso years later. It is hoped that continuing research will improve our understanding of this cancer, making it easier to detect and treat earlier, before symptoms appear, and offering better treatments and quality of life to those who are diagnosed.

Our 10-year cancer strategy focuses on preventing more cancers, detecting them earlier and improving outcomes, with a particular focus on the less survivable cancers. Over the next 10 years, our strategic aim is to improve cancer survival and provide excellent equitably accessible care.

I offer my sincere thanks to members who contributed to today's debate and to all the organisations offering vital support services to those affected. I support action mesothelioma day 2024 in raising the profile of that cancer to drive research and awareness. As Alexander Stewart said, we must advocate to protect, and the Scottish Government remains committed to improving outcomes for people affected by all types of cancer.

The Deputy Presiding Officer: That concludes the debate on action mesothelioma day 2024. There will be a brief pause to allow the front-bench speakers to change before we move to our final debate.

Rural and Island Digital Connectivity Challenges

The Deputy Presiding Officer (Annabelle Ewing): The final item of business is a members' business debate on motion S6M-13640, in the name of Beatrice Wishart, on rural and island digital connectivity challenges. The debate will be concluded without any question being put. Members who wish to speak should press their request-to-speak buttons.

Motion debated,

That the Parliament notes with concern that many households in rural and island Scotland face challenges regarding digital connectivity; understands that Ofcom reports that 25% of Shetland households have broadband speeds of less than 30Mbps; further understands that, despite the initial Scottish Government ambition to connect every household to superfast broadband by 2021 through the R100 programme, it is now estimated that full R100 rollout will not be achieved until 2028; notes the reported intention of telecommunications companies to retire the copper phone line network and replace phone lines with digital connections using fibre broadband; understands that this replacement is due by 2027; notes with concern reports that many households are unable to switch to digital phone lines due to lack of broadband connectivity in their area, which, it understands, can cause particular problems for customers with healthcare devices that use the phone line, or those who live in areas with poor mobile phone signal; expresses its disappointment that rural and island households are facing such difficulties, particularly in light of increasingly frequent adverse weather events, which, it understands, put rural and island households at risk of power outages; considers that poor 4G signal in rural and island areas has negative implications for businesses and education; understands that many households in Scotland are unable to be connected to smart meters due to poor connectivity of the smart meter network in their areas, with latest figures showing that less than 10% of households in Scotland's island groups have smart meters; further understands that many of these households still use legacy radio teleswitch meters, with Scotland having a higher proportion of these meters than other parts of the UK; notes with concern that the radio teleswitch signal is due to be switched off by 30 June 2025, which, it believes, could leave households stuck paying higher tariffs; further notes the belief that a digital divide is detrimental, and notes the calls for both of Scotland's governments to work together to address the digital connectivity challenges facing households in rural and island Scotland.

15:08

Beatrice Wishart (Shetland Islands) (LD): I thank all members who have supported my motion and the organisations that provided briefings.

I realise that some of the issues that I will discuss are reserved matters, but they are all interlinked and all affect Scottish communities. Rural and island communities face many connectivity challenges, from those relating to broadband, fourth-generation wireless and mobile phone coverage to issues with smart meter signals, and there is a cumulative impact on those

areas because of disparities in delivery and the unequal deployment of infrastructure. Both Scotland's Governments must rethink their attitudes and approaches to rural and island connectivity and must work pragmatically together to find solutions. If those areas are always considered to be a problem that should be left to last—and some telecommunications and energy companies also appear to take that view—progress will never be made.

The Scottish Government's reaching 100 per cent—R100—programme was arranged as part of the United Kingdom Government's superfast broadband programme, which gave devolved administrations a formal role in organising broadband roll-out. It promised to connect all households in Scotland to superfast broadband by 2021, although it is now estimated that that will not be achieved until 2028.

Realising that that target date would be missed, and with the 2021 Scottish elections approaching, the Scottish Government introduced a voucher scheme to attempt to capture properties missed out by the main scheme. Much like the failings of the commercial roll-out, it relies on companies being willing and able to come to rural and island areas, which is not often the case.

In Shetland, out of 1,507 eligible properties, just 35 have been connected using the Scottish broadband voucher scheme. One of my constituents, Mary Macgregor, lives at Bakka on the west mainland of Shetland. She runs a knitwear business from home and she told me:

"My business is suffering acutely from lack of connectivity."

Parts of the west mainland have internet download speeds of just 3 megabits per second and 0.5Mbps upload speeds, and 25 per cent of Shetland households have broadband speeds of less than 30Mbps. So far, Mary's efforts to get a community-led internet project installed by pooling broadband vouchers and working closely with Scottish Government officials have still not been enough to get a supplier interested in developing the scheme.

Another constituent was quoted £725,000 to connect 15 houses. Often, the only practical solution under the voucher scheme is a satellite installation, but the higher monthly costs and difficulty of shopping around at the end of a contract would mean households paying more for years to come.

The voucher scheme options are simply not equivalent to the fixed-fibre connections offered to other households under the main reaching 100 per cent—R100—programme, so it is unsurprising that the uptake in Shetland is so low. There needs to be a better solution for areas that are not

considered commercially viable to get parity of digital connection with urban counterparts.

The copper phone-line network for land-line telephones is being retired and replaced by phone lines that use digital connections. The switchover, called "digital voice", by the largest provider, BT, will affect all customers, regardless of supplier. There is a mismatch between the reach of the broadband roll-out and the planned retirement of the copper network by 2027. That has understandably caused stress in rural and island areas, particularly for people in areas with poor mobile phone signal, and for elderly and disabled people with devices such as Telecare alarms.

One frequently cited solution is that digital phone lines will have a minimum one-hour battery back-up in the event of a power cut. That is wholly inadequate. In December 2022, Shetland was hit by a storm, resulting in widespread and prolonged power cuts, including to cell towers, leaving areas with no power and no signal for days. In the absence of a self-powered land line, that would leave people entirely cut off from telecommunications at the time when they need them most.

The lack of resilience in the cell tower network and in the new digital land-line phones is concerning, as climate change means that more weather events are expected to occur more frequently. There must be planning for the worst-case scenarios to ensure that networks are resilient and can cope. It should not be the case that we find ourselves in a worse position during an emergency than we do with the 50-year-old technology that we are replacing.

The 4G network also has resilience issues. In Lerwick, the network is inadequate for demand, especially during peak visitor times. Shetland businesses tell me that their activities are curtailed because of inadequate connectivity. Just last week, the Agriculture and Rural Communities (Scotland) Bill was passed. Farmers and crofters will require adequate digital connectivity to achieve its aims of fostering innovation in that sector.

Liam McArthur (Orkney Islands) (LD): I echo Beatrice Wishart's comments about the impact in rural and island areas. What she describes is very similar to the situation in my Orkney constituency. Does she believe that part of the problem is that, in relation to telecommunications, a standard is set on the basis of area and population covered, but it is always the very small percentage of the population that is at the back of the queue? Does she agree that it would be helpful for Governments and regulators to take an out-to-in approach, rather than an in-to-out approach, when looking at the roll-out of technology and infrastructure?

Beatrice Wishart: That is exactly the point that I hope the debate will highlight. It is definitely the case that looking from the outside in would help island and rural areas.

Energy customers are encouraged to switch to a smart meter, but the barriers to installation that people in rural areas face include a lack of installers, long waiting times and poor communication from suppliers. Those problems are exacerbated by the planned shutdown of the radio teleswitch—RTS—on 30 June 2025. There are hundreds of thousands of households whose meters operate using the signal, but the timeline does not align with the pace of smart meter roll-out. It is unknown what will happen to RTS meters after the shutdown. They might continue to work but not as intended, or they could stop working, resulting in either no heating and hot water or permanent heating, increasing energy bills in areas with the highest fuel poverty rates.

A further barrier is that some rural and island areas have no access to the wide area network that smart meters use. A technology-based solution is being developed, but it is only at the trial phase, so it seems unlikely to be successfully deployed in time for the RTS shutdown.

The Minister for Climate Action wrote in the *Shetland News* on Tuesday that customers should contact suppliers for “alternative solutions”. People have been doing that for years and getting no answers. One of my constituents first contacted his supplier about a replacement meter more than four years ago and still has not been able to get one. Another constituent had been waiting two years before contacting me more than two years ago. For every person who contacts me about meters, there will be others in the community facing similar problems.

By considering those impacts holistically, we see that people in rural and island areas are facing a digital divide. Depopulation will continue and enterprise growth will continue to suffer if services and infrastructure continue to be worse in those areas than in urban areas. What people in rural and island areas seek is parity and the same opportunities that other communities across Scotland already take for granted. With a bit of political will between our two Governments, that can be achieved in the island and rural areas in Scotland.

15:16

Emma Harper (South Scotland) (SNP): I welcome the opportunity to speak in the debate, and I congratulate Beatrice Wishart on securing this final members’ business debate ahead of recess.

Having access to fast and reliable broadband and being digitally included in today’s ever-more digital society is of the utmost importance for rural parts of Scotland, including Dumfries and Galloway, for many of the reasons that have already been well rehearsed by Beatrice Wishart. For individuals in rural areas, full fibre access is crucial if they are to be able to work from home, to access Government support services and to stay connected with friends and relations. It is needed for children and young people to access education resources and for online streaming services, gaming and browsing, all of which can happen simultaneously in people’s homes.

Full fibre is needed for businesses to connect with their customer base, to conduct business transactions and to run systems. With the rise of cybersecurity threats, having a secure and reliable connection is paramount. Full fibre connection supports advanced cybersecurity systems, ensuring that any business’s critical data is protected.

We transitioned pretty quickly during the Covid lockdown to conduct our work using the internet and other platforms, with our Teams links and Zoom links. Indeed, fibre access is so important in helping people in the world of work and in tackling social isolation and loneliness, as was pointed out by Third Sector Dumfries and Galloway in a report that it did last year.

I will start on a positive note. As of January this year, 5,000 additional households and businesses in Dumfries and Galloway can now connect to better broadband speeds through the Scottish Government’s £600 million reaching 100 per cent programme, and more are set to benefit from upgrades. Full fibre technology is now available to 40,000 of the hardest-to-connect properties, with the R100 roll-out reaching homes and places in Dumfries and Galloway, including Auchencairn, Crossmichael, Castle Douglas, Kirkcudbright and Ringford. Openreach engineers have managed to address not-spots for fibre connectivity for my constituents in Borgue and Twynholm, as well as in Bridge of Dee and Newton Stewart.

I name all those because it is important for everybody to hear that they have the connectivity that they now need in order to manage their daily lives. From a Wigtown wigwam tourism business that my office has been supporting, I know how beneficial it has been to obtain that connection—it has been fantastic for both the business and its guests. Owners Fraser and Lorraine have said that the connection is attracting more people to their fantastic holiday site and that the connection is supporting their business to connect better with their customer base, so I pay tribute to the Openreach staff for their continued and dedicated work.

However, as well as all of the good work that is under way across Dumfries and Galloway, we still have significant challenges. Hard-to-reach places still exist in the region, including some in the town of Dumfries, where adequate download speeds do not exist in, for example, parts of Georgetown.

A company called Galloway Broadband is working on low-cost solutions to digital connection issues, and it offers a solution that does not require cable installation but utilises, for example, mobile masts and wireless white space technology. However, the criteria that are required to enable R100 voucher access cannot quite be met in order for the company to help improve people's digital connectivity. Georgetown is only one of the areas that I have been contacted about.

Would the minister consider reviewing the work of Galloway Broadband to see whether it can be supported as a fast, local, affordable solution to address the not-spots and improve internet access and download speeds, in order to meet the digital requirements for our current daily lives?

I welcome the progress that has been made, but I also urge the minister to look at innovative solutions, such as the white space technology that I have just mentioned, to ensure that people who live in our most remote and rural areas have access to the adequate internet connectivity that they need for their daily work.

15:21

Jamie Halcro Johnston (Highlands and Islands) (Con): I thank Beatrice Wishart for bringing to the chamber this debate on a subject that is extremely important for my constituents across the Highlands and Islands. Like Beatrice Wishart, I live in the northern isles and, for our communities, connectivity—whether that is transport or digital—is vitally important. However, for island communities across Scotland, not only is a lack of connectivity an issue but it is an issue that is growing.

Many of our connections to other islands and the Scottish mainland are better than they have been before—certainly better than they have been historically, although there are serious problems with our ferries network. However, while other communities benefit from improvements in how they are wired into the world through broadband, island and other rural communities risk being left behind. Although endless promises have been made on delivering superfast connections to our communities, like so many promises that emanate from the Scottish ministers in Edinburgh, they have not been delivered and the figures remain stark.

In the Western Isles, R100—including the voucher scheme—has seen only 14 homes and

businesses connected to superfast broadband, and 2,206 properties await connection. Nearly 4,000 premises in Shetland and 2,760 in Orkney are still to be connected.

I am relatively fortunate because work has been carried out in the past few months to connect my home in Orkney, although we have not yet subscribed to the service. Before then, we were reliant on slow and intermittent broadband that, too often, cut out entirely. That left us struggling to access the increasing numbers of services—including many public services—which are now delivered online. In most of Scotland, folk take for granted things such as online banking, both personal and business; ordering supplies and deliveries from Tesco or other local shops; accessing online medical appointments; booking travel; or submitting data, such as that which the Scottish Government and its agencies require on our farm.

All of those things are vital, but they do not include the social connectivity that good broadband also supports. That is important not just for many younger people but for older residents of our islands who are feeling increasingly isolated.

Let us be clear that the failure to deliver on promises of improved broadband makes island life harder and risks damaging the long-term sustainability of our rural communities.

I will turn to phone connectivity. For many island and rural homes, although mobile coverage can be okay outside of the property, the signal inside can be limited. That is not great in bad weather, when power has been lost or an emergency call needs to be made.

Resilience is key for those who live in remote areas, and people want to stay in their own homes when they can, but they have to feel safe in doing so. As I said during my debate on wood-burning stoves, people cannot always pop next door for help, because their neighbours might be a significant distance away and they are often all but isolated. That is why a good mobile signal is important, but also why many of us are reliant on our powered land lines when there is a crisis.

Therefore, although I welcome the efforts that BT is making to ensure that a powered line will be available for some households until 2030, I wonder whether, when that is removed, a reliable alternative will be in place to ensure that resilience is maintained. I also wonder how many households are actually aware of the new product, so I ask the minister, in his summing up, to lay out what the Scottish Government is doing to ensure that households are made aware of it, particularly how the Government is working on that with local

councils and third sector agencies, and how that work is being supported and funded.

I take this opportunity to thank all those organisations, particularly those in the charity and third sectors—and, of course, local government—that have continued to play an important part in providing many services in our community and that are working to ensure that any changes with things such as care alarms happen as seamlessly as possible. One of my family members has a care alarm, and I can say from my own experience that the part of Orkney Islands Council responsible for such things has been extremely proactive in warning us of any changes and what we need to do. That is appreciated, because these are quite literally lifeline services.

I could go on, Presiding Officer, but I think that my time is nearly up. In conclusion, then, I would just say that promises made about digital connectivity need to be delivered and that island and rural communities' needs—particularly the needs of some of the most vulnerable people in our communities—must be better understood by the Government. If they are not, we risk seeing the rural and islands divide widen even further.

15:25

Carol Mochan (South Scotland) (Lab): I thank Beatrice Wishart for bringing this debate—the final one of the parliamentary year—to the chamber, and I am pleased to join her in making the case for all of our citizens to have access to good digital connectivity.

It is important to recognise that this is a matter for the UK Government as well as the Scottish Government, and I ask the Scottish Government to ensure from the outset that it works closely with the UK Government to progress it. Indeed, we can make that progress if we co-ordinate and manage the multiple issues that we have heard about.

Sometimes there is a sense that access to technology and the internet is a bit of a luxury and that it is not really essential to be digitally connected. However, as we have heard in the chamber already, we all understand that that is not the case. Those who are not online or who do not have the same access as others to the digital connectivity that we are talking about are definitely being left behind.

I remind members that digital poverty affects one in seven people across the UK. Ofcom's 2023 "Online Nation" report found that a surprising 7 per cent of British households had no internet access at all in their home. The reality is that digital poverty exacerbates the hardships that people face and for those in that situation in 2024 it can be difficult to access many forms of healthcare, employment opportunities, and basic information

about transport, weather problems or service changes, as well as many other things that, as members have said, we all take for granted.

I understand that R100 aims to be one of the most ambitious infrastructure programmes in Europe and to ensure that most rural parts of Scotland achieve parity in digital connection, and I acknowledge that that is what the Scottish Government is seeking. However, the Government's ambition was to connect every household to superfast broadband by 2021, and it is now estimated that full R100 roll-out will not be achieved until 2028.

I understand from research that I have undertaken for the debate that although many homes have access to superfast broadband, as with much in the digital era, it is the same households and communities that are suffering from the divide and the slow progress. In this case, it is our more rural and island communities that have suffered. Members might be surprised to learn, though, that I have been contacted by communities in Lanark that are having some problems with weak connection and are needing help; indeed, businesses are being affected.

The R100 Scottish broadband voucher scheme, which was launched in September 2020, ensures that any home or business that is not in scope of the R100 contracts or planned commercial build can get access through a voucher worth up to £5,000. However, as we have heard from Beatrice Wishart and others, the scheme has not been without its difficulties, and I hope that in his closing speech the minister will address some of Beatrice Wishart's specific points.

There are many myths about access to digital technology, and the motion clearly and correctly details some of the very real realities facing people who live in our rural or island communities. The reality is that the broadband that many have access to is very slow; the ambition to connect people is there—I understand that—but again and again, the reality on the ground for the same people is that the current system is slow and needs to be reinvigorated.

I once again thank Beatrice Wishart and all of the members who have contributed to the debate, and I hope that the minister has some positive feedback to give us in his closing speech.

The Deputy Presiding Officer: I call Tom Arthur to respond to the debate.

15:30

The Minister for Employment and Investment (Tom Arthur): I commend Beatrice Wishart for securing the debate and bringing this important

matter to the chamber. I also thank fellow members for their contributions.

Digital connectivity is central to the economic future of rural and island communities. That is why the Scottish Government has taken the lead and acted decisively. As members will be aware, power on telecoms is reserved to Westminster. Despite that, we have committed more than £600 million to extend gigabit-capable broadband networks, and we have targeted that investment at some of our hardest-to-reach communities. That approach has seen 16 new subsea cables being delivered, on time and on budget, which will connect our islands to the mainland. That investment paves the way for faster speeds and improved services and, crucially, will add greater resilience to the broadband and mobile networks that serve our island communities.

We have also acted to improve mobile coverage. Last year, we completed delivery of our 4G infill programme, which delivered 55 new masts and targeted investment to bring 4G coverage to rural and island areas for the first time. All that work is having a transformational impact. I wish to reassure members that there is more to come.

Our three broadband contracts with Openreach are on track to connect more than 113,000 homes and businesses in our hardest-to-reach communities. In the year ahead, we expect to connect some of Scotland's most rural communities—Westray, Eday, Rousay, Shapinsay, Unst and Whalsay—and the isles of Mull and Iona. We also expect to start work in the Western Isles ahead of schedule. Thanks to those contracts, we have already connected more than 50,000 premises, with a focus on providing gigabit connections that are capable of delivering speeds 30 times faster than our original superfast commitment. There is no better example of how far our investment is going than Fair Isle, which is home to 65 people, all of whom can now access gigabit-capable broadband. Fair Isle is a symbol for just how connected rural Scotland is becoming. Whether it be through fibre, mobile, wireless or low earth orbit satellite networks, everyone in Scotland, no matter where they are based, can now access high-speed, high-bandwidth digital connectivity.

I recognise Ms Wishart's concerns about the provision of fixed fibre broadband to premises, and the importance that she places on that. I make the foregoing points to illustrate the progress that we have made, but that does not suggest complacency or a slackening of pace. I recognise that there is still more work to be done and there are more communities to connect.

Jamie Halcro Johnston: Does the minister think that private operators who provide services

to houses in hard-to-reach areas, such as those mentioned by Emma Harper and others, are sufficiently involved in the process? Are we bringing all the technologies, including 4G, together well enough to deliver those service, or are we still seeing a bit of a smorgasbord of approaches?

Tom Arthur: In response to Mr Halcro Johnston's questions, I say that there is an important need for a collaborative, joined-up approach. We should recognise that, given the particular challenges that we face on connectivity in some parts of our country, flexibility and willingness to work with local partners will be extremely important. Those are particular points that I, and ministers in general, are keen to reflect on. We recognise the need to get things absolutely right and that a one-size-fits-all approach will not necessarily deliver the results that our hardest-to-reach communities require.

I return to the points that I have already raised. We want to build on our success and to extend gigabit broadband access even further. UK Government funding is, of course, key to the next phase, and we have been working constructively to secure Scotland's fair share of the £5 billion commitment to project gigabit. We recently launched two new procurements that are focused on parts of the Borders, East Lothian and north-east Scotland, and more procurements are expected to follow throughout the year. Every new project gigabit contract that is signed will see even more funding invested in Scotland to deliver connectivity to homes and businesses that need it.

A separate UK-wide framework, which we will work with the UK Government to deliver in Scotland, provides more opportunities to drive economies of scale across project gigabit and R100 contracts and increase coverage. However, it will require the incoming UK Government to match our ambition and our investment in Scotland's digital infrastructure. I reassure Carol Mochan that we want to work constructively to deliver on those commitments and ambitions.

I also recognise the concerns that have been raised regarding the PSTN switch-off. The existing telephone network across the UK uses older technology and is increasingly unreliable and difficult to repair, which puts those who depend on it at risk. For that reason, the telecoms industry has decided to replace the traditional land line telephone service with a digital service by the start of 2027.

There will be no change to the statutory responsibilities that providers are currently bound to. Telecoms providers have committed to the UK Government that they will work with the Government and Ofcom to identify and protect vulnerable customers, to ensure that no telecare

customers are migrated until a solution is in place and—I know that this point is of interest to members—to provide back-up solutions, where required, that go beyond the Ofcom minimum of one hour of continued, uninterrupted access to emergency services in the event of a power outage.

We will continue to support the UK Government and Ofcom and make sure that there is a proper understanding of any risks that are faced by Scotland's island and rural communities, enabling any issues to be resolved ahead of 2027.

The Scottish Government is also acutely aware of the issues that rural and island communities are facing with regard to smart meters. While the powers to act still lie with the UK Government, we continue to call on it to ensure that Scottish consumers are not disadvantaged and will be able to benefit from smart meter technology. My colleague Gillian Martin, who is now acting Cabinet Secretary for Net Zero and Energy, raised those issues during her engagement with her counterpart in the UK Government and Ofgem. Smart meter roll-out was a key area of focus at the rural energy consumers working group meeting that Gillian Martin chaired last year.

More than a quarter of radio teleswitch service customers across the UK are based in Scotland. That is a disproportionately high number. Those customers are typically located in areas with no mains gas supply, such as rural areas near the Borders and some areas in the Highlands and Islands. Gillian Martin recently wrote to all major energy suppliers, calling on them to prioritise properties in Scotland that have that type of meter as they progress their smart meter roll-out programmes. She has also written to local media to raise awareness of the pending switch-off, as was touched on earlier in the debate. I know that she, along with the new acting Minister for Climate Action, Dr Alasdair Allan, and their officials, will continue to engage with the industry to monitor progress and ensure a smooth and quick transition for Scottish consumers.

The Scottish Government has raised and will continue to raise awareness of the issues that are facing our rural and island communities. We remain committed to improving Scotland's digital future and ensuring that every community in Scotland can play an active part in the digital economy.

The investment that we have made over the past decade has transformed access to broadband and mobile services. The programmes that we have delivered have connected more than 1 million homes and businesses across Scotland to faster broadband, backed by more than £1 billion of public-driven investment. We want to go further, but we will need the new UK Government

to step up and invest in Scotland in a way that has not been done before. We stand ready to work with it and local partners to build on the success of the Scottish Government's programmes and ensure that all our rural and island communities can play an active role in Scotland's digital economy.

Meeting closed at 15:39.

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