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Scottish Parliament

Thursday 23 January 2025

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. The first item of business is general question time.

Kinneil Museum

1. **Michelle Thomson (Falkirk East) (SNP):** To ask the Scottish Government how the additional £34 million allocated to culture and heritage in its draft budget will assist in the preservation of any small, yet key, Scottish heritage sites under threat of closure, such as Kinneil museum in the Falkirk East constituency. (S6O-04234)

The Minister for Employment and Investment (Tom Arthur): [*Inaudible.*]

The Presiding Officer: Minister, can I check that your card is in the system?

Tom Arthur: That was an inauspicious start.

I am saddened to hear about the challenges that Kinneil museum, located in Kinneil estate, which has links with Mary Queen of Scots and the engineer James Watt, faces. I also recognise the challenges that culture and heritage organisations across Scotland face, which is why we continue to support the sector through more than £4.2 million of funding in the draft 2025-26 budget for Museums Galleries Scotland, as well as by allocating more than £74 million to Historic Environment Scotland.

Ultimately, it is for locally elected representatives to make decisions on how best to deliver services in their local communities, which includes the funding of local authority museums.

Michelle Thomson: As the minister notes, this is a United Nations Educational, Scientific and Cultural Organization world heritage site. Kinneil museum is currently proposed for closure by Falkirk Council, but volunteers and Friends of Kinneil are keen to find a solution to the museum's closure later this year. Given the complexities of community asset transfer for heritage sites of that nature, securing the museum's future will probably require a partnership approach. Will the minister join me in supporting efforts to bring together both national and local stakeholders to explore options to safeguard Kinneil museum's future?

Tom Arthur: I commend the efforts of Friends of Kinneil in trying to secure the future of Kinneil

museum, which is an important part of Falkirk's and Scotland's heritage. I understand that Museums Galleries Scotland has been in discussions with Falkirk Council on the future of the museum. I urge Falkirk Council to continue those discussions with Museums Galleries Scotland and with key stakeholders, to explore whether there are any ways to secure the future of Kinneil museum.

South Lanarkshire Council (Support)

2. **Clare Haughey (Rutherglen) (SNP):** To ask the Scottish Government how it plans to support South Lanarkshire Council as part of the local government settlement for 2025-26. (S6O-04235)

The Cabinet Secretary for Finance and Local Government (Shona Robison): If the budget is supported by Parliament, South Lanarkshire Council will receive £805.8 million in 2025-26 to fund local services, which is an extra £63.2 million, or 8.5 per cent, compared with the 2024-25 budget, to support vital day-to-day services.

Clare Haughey: This year alone, South Lanarkshire Council is having to pay back more than £40 million due to Labour's disastrous private finance initiative contracts. Those funds are hiking up the profits of the private sector when, instead, they should be going towards local priorities.

Despite additional Scottish Government funding, I am concerned about the impact of those debt repayments when the Labour administration at the council, which is cutting free school transport provision and divesting interest in community halls, sets its budget for next year. Can the cabinet secretary assure me that this Scottish National Party Government and future SNP Governments will never follow in Labour's PFI footsteps, which have left a damaging legacy across all our local authorities?

Shona Robison: I can certainly give Clare Haughey that assurance. She is absolutely right that we will be paying the price of the Labour—and, indeed, Tory—flawed PFI-PPP deals for some years to come. I also assure Clare Haughey and Parliament more generally that this SNP Government will continue to ensure that all forms of procurement for sites and services provide the best value for money for the taxpayer and that they realise benefits for our communities.

PFI and PPP Unitary Charges

3. **Kenneth Gibson (Cunninghame North) (SNP):** To ask the Scottish Government how much it anticipates will be paid in this financial year in private finance initiative and public-private partnership unitary charge payments across the public sector. (S6O-04236)

The Cabinet Secretary for Finance and Local Government (Shona Robison): The latest published data shows that the estimated total in PFI and PPP unitary charge payments to be paid across the public sector in Scotland in 2024-25 is £1.12 billion.

Kenneth Gibson: When it was in office at Holyrood, Labour built a debt mountain so vast that, 18 years later, public-private partnership payments are still rising, and they will peak at an eye-watering £1.25 billion next financial year. North Ayrshire Council will have to pay more than £16 million next year for four secondary schools that were built nearly two decades ago. By the time the contract is paid off, in 2038, it will have paid £440.1 million for schools that were built for £83 million. Owning those schools will cost even more.

Can the cabinet secretary say what impact Labour's disastrous PPP obsession continues to have on our public finances?

Shona Robison: Kenny Gibson is quite right to highlight this important issue and its impact on local services. The SNP Government has always made it clear that the PFI approach that Labour used has not delivered best value for the taxpayer. We brought it to an end and introduced more affordable schemes in order to reduce the drain on the public purse and to stop the excessive profits. The SNP Government will continue to do that. As Kenny Gibson made clear, we are still paying for the legacy of those mistakes, as I set out in my first answer.

Craig Hoy (South Scotland) (Con): Regardless of the perceived flaws of past PFI models, does the cabinet secretary concede that our constituents are broadly agnostic on how major infrastructure projects are funded and delivered, and that, in short, they just want urgent progress on major projects, including the upgrading of roads such as the A1 and the A75 in my South Scotland region? Will the minister therefore set aside dogma and fully explore new and alternative models to turbocharge Scotland's flagging infrastructure procurement programme, including by appraising the infrastructure investment partnership model, as was recently recommended by the Future Governance Forum?

Shona Robison: I think that all our constituents care about value for money and value to the public purse, and I think that all our constituents would be very concerned about the excessive profits made from previous PFI deals that were poorly constructed and not good value to the public purse. I find it very strange that the Tories, who often talk about value for money and criticise the spending priorities of the Government, seem so easy with the excessive PFI profits when it suits them—[*Interruption.*—]and do not seem to share

the concerns—[*Interruption.*—]that I think the public share with us.

The Presiding Officer: Let us hear the cabinet secretary.

Shona Robison: As I said in my answer to Kenny Gibson, we brought those excessive profits and poor PFI deals to an end, and we introduced more affordable schemes so that we can utilise resources in the best way as we invest in our infrastructure. We can do that while also ensuring value to the public purse—which is, it seems, unlike what the Tories want to do.

Youth Work

4. Ben Macpherson (Edinburgh Northern and Leith) (SNP): To ask the Scottish Government how it is supporting and investing in youth work. (S6O-04237)

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): The Scottish Government is committed to supporting youth work and continues to fund it in a variety of ways. The block grant funding that is provided to local authorities affords them significant autonomy in allocating resources for youth work, to meet the specific needs of young people in their local areas. The Scottish Government, across portfolios, also directly funds a range of youth work initiatives, projects and programmes. Those initiatives aim to support diverse youth work models, promote partnership working and enhance the quality of youth work, supporting the best possible outcomes for the young people of Scotland.

Ben Macpherson: We know that youth work, in all its various forms, can be preventative investment that reduces spending in the long term. Examples include the work of the Citadel Youth Centre, the Spartans Community Foundation and others in my constituency.

I recognise all the good work that the Scottish Government is funding and appreciate the pressures on the public finances, but will the minister say more about how the Scottish Government is working across portfolios and with other organisations to consider additional support for youth work as part of the response to the recent youth violence summit, particularly in areas such as Edinburgh, where, unfortunately, youth violence that is perpetrated by a very small minority has become more prevalent recently?

Graeme Dey: The Scottish Government also values youth work highly, and I agree that working in collaboration helps to achieve positive outcomes for young people. As I mentioned in my initial answer, the Scottish Government continues to fund a range of projects and programmes that directly support youth work, in addition to funding

the local government block grant. Included in that is £20 million from phase 6 of our cashback for communities fund, which has supported 29 partnership organisations. I say to Ben Macpherson that, so far, the spend in the Edinburgh local authority area in phase 6 is circa £700,000.

On the youth violence summit that Ben Macpherson referred to, we are considering what more can be done to prevent and reduce harm from violence. A report on the key themes that were raised is being produced and a further cross-party discussion is intended.

Road Safety

5. Finlay Carson (Galloway and West Dumfries) (Con): To ask the Scottish Government what plans it has to improve road safety on key routes. (S6O-04238)

The Cabinet Secretary for Transport (Fiona Hyslop): This year, as part of a £1.1 billion investment in maintaining and improving Scotland's road network, the Scottish Government is investing a record £36 million in road safety initiatives across key routes. That includes £7.5 million of investment in the safety camera programme to ensure the continued deployment of safety cameras across Scotland, including on the A75 and A77. To maximise the impact of that technology, an annual site prioritisation exercise is undertaken each year, and as part of the process, consideration is being given to a change in the enforcement strategy on the A75.

In addition to those considerations, a range of engineering improvements is programmed on key routes in the south-west of Scotland. That includes the signalisation of the Cuckoo Bridge roundabout on the A75 and of the A77 Doonholm road junction.

Finlay Carson: Nobody in the village of Crocketford will ever forget the carnage that was caused by a horrid accident involving two speeding heavy goods vehicles in November 2022. The communities of Crocketford and Springholm face the dangers of cars and HGVs speeding only feet from their doors. Although work is due to begin in March on speed management plans in Crocketford—something that I have been pressing long and hard for—that is simply a sticking plaster.

During his visit last December, the First Minister agreed that Transport Scotland will consider the case for overhead average speed cameras along the length of the A75 and within those vulnerable villages. Will the cabinet secretary update us on when we can expect to hear the findings of that consideration, given that safety cameras are

ineffective at addressing the problem that we have with the A75?

Fiona Hyslop: Work is under way, as I said in my previous answer, to consider the possibility of deploying average speed cameras on the A75. The outcome of that process will be identified through the conclusions that flow from the annual safety camera site prioritisation exercise. It is under way and Police Scotland's west safety camera unit is considering a change to the enforcement strategy. When we have those results from Police Scotland, I will be more than happy to relay them to the member, as the First Minister communicated in his visit in December.

Gaza (Humanitarian Aid)

6. Foyso Choudhury (Lothian) (Lab): To ask the Scottish Government, regarding any implications for its provision of funding for humanitarian aid in Gaza, whether it will provide an update on what discussions it has had with the United Kingdom Government regarding recent developments in Gaza. (S6O-04239)

The Minister for Employment and Investment (Tom Arthur): To date, the Scottish Government has committed £1 million for the crisis in Gaza and the wider middle east. That money has provided food, water, medical assistance and shelter to displaced people across the region. As the political and humanitarian situation in Gaza continues to develop, Scottish Government officials will maintain regular contact with their counterparts in the Foreign, Commonwealth and Development Office. With a ceasefire now in place, we urge all parties to facilitate a surge in the delivery of humanitarian aid to alleviate the unimaginable suffering that has been endured over the past 15 months.

Foyso Choudhury: The ceasefire between Israel and Hamas and the returning of hostages should be welcome, but they will not undo the suffering that has been inflicted on the people of Gaza or the actions that Amnesty International said broke the Convention on the Prevention and Punishment of the Crime of Genocide. Does the minister agree that the ceasefire is not the end of the conflict and that diplomatic pressure on all parties is needed to deliver a free Palestine and regional peace, particularly following recent violence in the West Bank? Will the Scottish Government consider actions to prevent public money from going to organisations that have profited from the war?

Tom Arthur: I agree entirely with Mr Choudhury on the need to urge all parties to abide by the terms of the ceasefire and to ensure that we maximise support and humanitarian aid not only in terms of infrastructure, but in recognition of the fact that this is a severely traumatised population.

We need long-term sustained investment to support the people of Gaza, and the Scottish Government is committed to that.

On his specific points on procurement, the member will recognise that we operate under a suite of domestic and international procurement laws and regulations, by which we must abide. I hope that the member recognise, from the commitments that the Scottish Government has made and what it has delivered to date, that we very much have the same position and view that he has on this matter.

Emma Roddick (Highlands and Islands) (SNP): I recently met Highland-Palestine, which is a group that does incredible work to raise awareness and show solidarity from the Highlands with the people of Palestine. Although the news that a ceasefire agreement has been reached is extremely welcome, the humanitarian situation on the ground in Palestine remains desperate. What further discussions has the Government had with the UK Government about allowing Palestinians who have lost homes and loved ones to resettle and find sanctuary in Scotland?

Tom Arthur: Scotland has a long history of welcoming people who are fleeing war and persecution. The Minister for Equalities wrote to the UK Government in November to call again for a bespoke family reunion scheme to be established, to enable people in Gaza to seek sanctuary with family members in the UK.

The Home Office replied on 7 January, saying that no changes to existing visa schemes and immigration routes were planned. We are extremely disappointed by that reply and continue to urge the UK Government to provide support for Palestinian families in their time of extreme suffering.

Community Preservation

7. Evelyn Tweed (Stirling) (SNP): To ask the Scottish Government how it is supporting community efforts to preserve built heritage, ancient monuments and archaeological sites. (S6O-04240)

The Minister for Employment and Investment (Tom Arthur): The Scottish Government delivers support for the historic environment through our sponsorship of Historic Environment Scotland, the lead public body responsible for preserving, maintaining and promoting the historic environment.

Through part of the £13.5 million that HES delivers in annual grants, it has been able to support numerous projects such as funding volunteers to uncover, record and recover the balance of the bedrock at Balfron, and a volunteer training programme to capacity build local

members and volunteers of the Bannockburn House Trust with regard to basic restoration and traditional building methods.

Evelyn Tweed: The BBC's "Digging for Britain" recently featured volunteers from the rescuers of Old Kilmadock and archaeologist Dr Murray Cook, following the discovery and preservation of a Pictish stone near Doune. Will the minister join me in congratulating them on their work and advise what steps are being taken to encourage more volunteers to work in that area?

Tom Arthur: I am pleased to congratulate the ROOK volunteers on their important discovery. For Scotland's historic environment, volunteers are essential. The Make Your Mark national volunteer campaign was an outcome of Scotland's first strategy for the historic environment, and volunteering has remained a key priority in the revised strategy—"Our Past, Our Future: The Strategy for Scotland's Historic Environment"—to empower resilient and inclusive communities and places.

Historic Environment Scotland is an Investing in Volunteers-accredited organisation. We aim to increase the number and diversity of heritage volunteers in Scotland, while promoting volunteering opportunities, connecting co-ordinators nationwide, sharing inclusive practice and evidencing impacts to lobby for funding. Make Your Mark also plays an important role in contributing to the wider reach of volunteering in Scotland, through the lens of the Scottish Government's commitment to volunteering and Scotland's volunteering action plan.

The Presiding Officer: I ask Miles Briggs for a concise question 8.

Scottish Child Abuse Inquiry (Remit)

8. Miles Briggs (Lothian) (Con): To ask the Scottish Government what its position is on whether the remit of the Scottish child abuse inquiry remains appropriate. (S6O-04241)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): The remit of the Scottish child abuse inquiry was established following extensive consultation with survivors. The inquiry, which has now been operating for nine years, is independent and Lady Smith, its chair, is responsible for deciding what is examined by the inquiry to fulfil its remit. I believe that the remit remains appropriate.

Miles Briggs: The Deputy First Minister will know that people who have attended the inquiry are concerned that many victims have felt that their voices have not been heard, that non-disclosure agreements used by public bodies have often stopped truths coming out in the inquiry, and that it is looking at only historical abuse. One of

the campaigners has put forward the idea of establishing an independent national whistleblowing officer for education and children's services. Will the Deputy First Minister consider that, and will she meet me and campaigners to further discuss the issue?

Kate Forbes: An important point to make is that we initially established the remit of the inquiry in order to respond to survivors' requests. I continue to engage with survivors independently of the inquiry.

My view is that changing the remit at this late stage would mean that it will take significantly longer for the inquiry to reach and publish its conclusions, which would risk failing to respond to survivors of in-care abuse and would delay the opportunity to address any recommendations that the inquiry might make. I am very happy to engage with the member on those matters.

The Presiding Officer: That concludes general questions.

Before we move to First Minister's questions, I call the First Minister to make a short statement about tomorrow's weather warning.

Red Weather Warning

12:00

The First Minister (John Swinney): I am grateful to the Presiding Officer for the opportunity to make my remarks to the Parliament before First Minister's question time.

This morning, the Met Office issued a very rare red weather warning for storm Éowyn tomorrow. The warning covers parts of Dumfries and Galloway and of the Scottish Borders, all of Strathclyde and Lothian and Borders, the Forth Valley and southern parts of Fife. The red weather warning is expected to begin at 10 am tomorrow and to last until 5 pm tomorrow, while a wider amber warning for high winds across the whole country and a yellow warning for snow in some parts of Scotland still remain in place. The storm could bring winds of up to 100 mph.

The Met Office's advice is clear that the potential impacts include danger to life, structural damage to property, and transport and power disruptions. We have to be clear that people should not travel, and Police Scotland will issue a formal do not travel advisory notice shortly. Councils will make decisions today about school closures.

The Government is ready to respond. Our resilience and emergency system—the Scottish Government resilience room or SGORR—was activated this morning to co-ordinate help and to support Scotland's front-line responders, including the police, fire services and the ambulance service. I will chair a meeting of the resilience room shortly after First Minister's questions, and further advice will be issued to the public.

Red weather warnings such as this are very rare. Our message is simple: please follow the advice from the Met Office and the police, take this seriously, and stay safe.

First Minister's Question Time

12:02

National Health Service

1. Russell Findlay (West Scotland) (Con):

Last week, Scotland's nurses issued a desperate and urgent warning about our broken national health service. Patients in extreme pain are stripped of their dignity and left for hours in accident and emergency departments. Waiting times for life-changing and life-saving operations keep going up. People are not able to get appointments for general practitioners or for dentists. Targets are being missed so often that they have become largely meaningless. Does John Swinney really still have confidence in his health secretary, Neil Gray?

The First Minister (John Swinney): Yes, I do. The health secretary and I are deeply engaged in ensuring that there is effective leadership in place to support the national health service to recover from the implications of Covid some years ago and the severe implications of the flu that we have experienced in recent weeks. We are entirely focused on the challenge.

Russell Findlay: Our NHS is in a permanent state of turmoil, but Neil Gray is failing to do his job and is refusing to be straight with the public. This week, the health secretary admitted that he misled the Parliament. After taking taxpayer-funded limos to nine football matches, he claimed that they were all to discuss Government business. Crucially, he said that he had all the official notes to prove that, but it turns out that some of the notes do not exist—Neil Gray just made that up. That was his second formal apology to the Parliament. Surely long-suffering patients deserve honest leadership at this time of crisis.

The First Minister: That is exactly what patients in Scotland have. *[Interruption.]*

On the national health service, I will tell it as it is. That is why the health secretary and I spent a large amount of time on Wednesday with a whole range of stakeholders from across the health sector, who will be crucial in helping us to support the national health service to navigate its way through the challenges that we face because of an ageing population and a significant increase in demand. That is what the health secretary and I are focused on. That is what we are doing this week, and that is what we will be doing henceforward.

The Presiding Officer (Alison Johnstone): I would be grateful if members could avoid shouting out in the chamber.

Russell Findlay: With that answer, the First Minister confirms that he is in a state of denial. He appears to have given a free pass to his distracted health secretary, no matter what he does. This afternoon, the planned national care service that Neil Gray is supposed to be in charge of will be scrapped, without having treated a single patient and with tens of millions of pounds down the drain. Neil Gray is giving Humza Yousaf and Michael Matheson a run for their money as the SNP's worst health secretary. He misled Parliament, but he did not come clean straight away. The truth had to be dragged out of him by the Scottish Conservatives. I have a simple question: when exactly did John Swinney first know that Neil Gray had misled Parliament?

The First Minister: All those issues have been set out to Parliament. The health secretary made a statement to Parliament—*[Interruption.]*

The Presiding Officer: Let us hear the First Minister.

The First Minister: The health secretary came here and raised a point of order on Tuesday, when it was clear from the points that had been raised by the Conservative and Labour members that there was an issue in relation to his original statement. I have dealt with those questions accordingly.

I say to Mr Findlay and to members of the public around the country that they should be assured that their First Minister and their health secretary are absolutely focused on delivering the leadership that is necessary to strengthen and to improve the national health service and to deliver for patients. That is my commitment to Parliament today.

Russell Findlay: That is just textbook John Swinney—failing to answer the most simple of questions. If we did not keep raising the issue, Neil Gray would never have admitted that he had misled Parliament over taxpayer-funded limos to the football. That flagrant breach must be investigated by the independent adviser on the ministerial code. John Swinney is standing by Neil Gray, just as he backed Michael Matheson and Humza Yousaf. Patients will continue to be let down by another dishonest, disgraced and distracted health secretary who is failing to bring down waiting lists.

In the real world, if people cannot do their jobs properly or do not tell the truth, they get the sack. Is it not time for John Swinney to show some leadership by sending Neil Gray—in a chauffeur-driven limo, if he likes—to collect his P45?

The First Minister: It is important that we put this matter in its proper context. The issue that Neil Gray had to address in Parliament on Tuesday revolved around one word that was

inserted in his answer to Stephen Kerr during his parliamentary statement. That one word was the word “all”—a three-letter word—[*Interruption.*]

The Presiding Officer: Let us hear the First Minister.

The First Minister: In his answer to Neil Bibby and in his original parliamentary statement, there was no issue about the language used by Neil Gray. In one answer, Neil Gray used one word that he should not have used—the word “all”—[*Interruption.*]

The Presiding Officer: I would be grateful if those of us who are privileged to sit in the chamber could treat one another with courtesy and respect.

The First Minister: On the basis of that fact, I judge that Neil Gray, in taking the action that he has taken, has acted entirely appropriately in his responsibilities to Parliament and in accordance with the ministerial code. Of course, it is up to the independent advisers whom I have appointed to take a different view from the one that I have taken—I will be inviting my independent advisers to consider the view that I have taken, and they will be free to take that decision. That is why I have strengthened the ministerial code, it is why I have strengthened the independent advisers and it is why I have appointed three individuals of eminent reputation to make sure that they can scrutinise these questions.

Fundamentally, what matters to the people of Scotland today is that they have a Government that is focused on the concerns of the people, on making sure that we strengthen the national health service—[*Interruption.*]

The Presiding Officer: We will hear the First Minister.

The First Minister: —and on bringing down waiting times. That is the focus of the First Minister and the health secretary. The Conservatives do not care about that, but I certainly do.

National Health Service

2. Anas Sarwar (Glasgow) (Lab): Our national health service and social care system is in permanent crisis under the Scottish National Party. One route to solving the crisis lies in tackling delayed discharge, where a patient is medically cleared to go home but cannot, often due to the lack of a care package. In the words of Dr Iain Kennedy of the British Medical Association, “The key to unlocking the front door of our hospitals lies at the back door.”

However, under the SNP, delayed discharge has soared.

On Monday, I raised the case of Yvonne, a 68-year-old grandmother from Auchterarder who is living with multiple sclerosis. Despite being medically cleared to go home, she had to spend an extra two months in hospital waiting for a care package. In desperation, she took to wearing T-shirts that said, “Can I go home now?” and “Bed blocker”. How have John Swinney and Neil Gray allowed the situation to get so bad?

The First Minister (John Swinney): The issues around delayed discharge are complex because, in essence, they rely on the strength and capacity of the social care system in Scotland. That is the key question that the Government is addressing in the steps that we are taking to ensure that the health service and the care system meet the needs of the public in Scotland.

One of the steps that we are taking to try to make the position better—I accept that the situation that Mr Sarwar has put to me is not acceptable—is to put in place a record funding settlement for the health service, which will strengthen social care. We are also delivering a real-terms increase in local authority budgets so that local authorities are able to contribute more to health and social care partnerships to ensure that more social care places are available at local level. Those are practical and tangible actions that the Government is taking to address the situation.

Anas Sarwar: The fact is that it is getting worse, not better, under this Government. In 2015, the SNP pledged to end delayed discharge, but—much like its pledges on waiting times, accident and emergency performance and social care—things have got worse, not better. On any given day, around 2,000 Scots are stuck in hospital, despite being cleared to leave.

Over the past decade, we have had five health secretaries, and the cost of their collective failure to deal with the situation has risen to more than £1.5 billion. The biggest price has been paid by countless Scots who have been failed as the situation has deteriorated.

However, apparently, we are not to worry. We are told that the self-described “full-on John” is rolling up his sleeves and taking personal charge of the crisis that his party has created in our NHS. Given that he already rolled up his sleeves and wrecked our education system and rolled up his sleeves and wrecked the public finances, is it any wonder that Scots fear for the future of our NHS under the SNP?

The Presiding Officer: I remind members that we do not use nicknames in the chamber.

The First Minister: There will be no worry on that front from me, Presiding Officer.

I am really touched that Mr Sarwar is taking such a close interest in all my press interviews. That suggests that he is a bit touchy about things these days. It suggests that he is perhaps a little bit worried about his position and that he is not quite as confident that he is heading in the direction of Bute house. However, if he is that worried, that tells us that we are on the right course in what we are doing.

Over the course of the past few weeks and months, a number of important steps have been taken by the Government to strengthen the availability of social care in our country. Some of the steps that we are taking are the expansion of frailty units, which are associated with A and E departments; the expansion of the hospital-at-home system, which is designed to care for individuals in their own homes and provide them with clinical care so that they avoid being in hospital; and the support that has been put in place in relation to the strengthening of general practitioner practices, which, of course, is not helped by the United Kingdom Government's changes to employer national insurance contributions.

Of course, there is a big decision coming up for the Parliament in the next few weeks—the decision about the budget. The budget delivers a record financial settlement for the health service and a real-terms increase for local authority funding to support the social care system. The big question is whether Labour will support the Government in our investment in the social care system.

Anas Sarwar: With that answer, it is clear that John Swinney will not be joining Nicola Sturgeon at the Glasgow comedy festival. However, come May 2026, he will be joining her as an ex-First Minister of this country, because the SNP's record on the NHS is one of abject failure. Our NHS and care system is in permanent crisis, and we have a health secretary in whom no one has confidence. He should be sacked for mismanaging our NHS, not just for misleading this Parliament.

Right now, on the SNP's watch, more than 863,000 Scots are stuck on an NHS waiting list, and more than 100,000 of them have been waiting for more than a year to be seen. Right now, 2,000 Scots are stuck in hospital. Despite having been medically cleared to leave, they are unable to go home. No matter who it chooses as the latest health secretary, the SNP cannot deliver the new direction that our country needs.

Instead, today, John Swinney will gut his National Care Service (Scotland) Bill, with years having been wasted, millions lost and not a single extra hour of care delivered. Is that not just the latest example that no good idea survives SNP incompetence?

The First Minister: Yesterday, I convened a discussion at which stakeholders in the health service discussed all the challenges that we face. I am completely open about the fact that we face challenges in the health service in Scotland today. That is why I convened yesterday's session, and it is why I am setting out the steps that we are taking to ensure that we have an immediate focus on ensuring that the resources are in place to drive down waiting times and to tackle delayed discharge. That is what we are doing.

One of the participants in yesterday's discussion raised with me the damage and difficulty that will be faced by general practice because of the imposition of an increase in employer national insurance contributions. Is it not interesting—*[Interruption.]*

The Presiding Officer: Let us hear the First Minister.

The First Minister: Is it not interesting that the Labour Party and the Labour leader are rather silent on the question of employer national insurance contributions? That is a classic example of the Westminster Government acting in a fashion that will damage the delivery of health and social care in Scotland. *[Interruption.]*

The Presiding Officer: Let us hear the First Minister.

The First Minister: No amount of shouting at me by Labour members will distract me from pointing out to the public the damage that will be done because of that increase.

What do we find out? We find out that Anas Sarwar is completely and utterly hopeless and powerless in the face of a UK Government that has taken a decision that will damage Scotland's health and social care system. The people of Scotland know that this Government will protect the interests of Scotland when Anas Sarwar sells them out.

Bus Travel (Cost)

3. **Lorna Slater (Lothian) (Green):** Buses in Scotland are too expensive. We see fare hikes every year, with passengers across the country having to fork out even more cash to get on board. As part of this year's budget negotiations, the Scottish Greens have called for a £2 cap on bus fares. For example, folks living in the First Minister's constituency are paying an extortionate £5.10 to travel from Blairgowrie to Perth. A £2 cap on bus fares would save a commuter on that journey £31 a week, or £124 a month. Does the First Minister agree that we should cap fares and make buses in Scotland cheaper?

The First Minister (John Swinney): I understand the logic of the point that Lorna Slater

makes. We want to make sure that public transport is affordable for individuals. In the period in which we worked with the Scottish Green Party in government, we took the step of introducing the concessionary travel scheme for under-22s, which has been a huge benefit. That scheme benefits many of my constituents, and it will benefit many of Lorna Slater's constituents.

The aspiration of delivering public transport that is as low cost as possible is an aspiration that the Government shares. I am aware of the proposals that have been advanced by the Scottish Green Party, and I give Lorna Slater an assurance that they will be considered seriously by the Scottish Government.

Lorna Slater: Cheaper bus tickets are the right thing for people and planet. They would help people to save money and to leave their cars at home, and they would open up new opportunities. Already, thanks to the introduction of free bus travel for everyone under 22, which was secured by the Scottish Greens, young people across Scotland have made more than 150 million free bus journeys.

We must go further to deliver a truly affordable, reliable and accessible bus network across Scotland. We must reverse the damage of privatisation, protect essential routes and build publicly owned services that deliver for all passengers. What more is the Scottish Government doing to cut the cost of buses and to support workers and commuters?

The First Minister: We are taking a number of steps, some of which involve investing in the bus fleet. We are trying to lower the carbon footprint of that fleet through the investments that the Cabinet Secretary for Transport is taking forward. We are, obviously, very pleased with how the under-22s concessionary travel system is operating, because that has provided social mobility and opportunity for young people across the country and made a real difference to their lives.

I understand the proposals put forward by the Green Party and the benefits that would arise from being able to implement those proposals. They were not included in the Government's budget in December, but I give Lorna Slater the assurance that they will be seriously considered by the Government as we move forward with our budget preparations.

US Import Tariffs

4. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): To ask the First Minister, in light of the inauguration of Donald Trump as US President, and the reported prospect of import tariffs, what sectors of Scottish business it anticipates may be most affected. (S6F-03735)

The First Minister (John Swinney): I am alert to the dangers of tariffs and to the damage that they can cause, and we are closely engaging with the fact that President Trump has asked the US Secretary of Commerce to investigate the US's annual trade deficit and its economic and security implications.

It is important to note that no new tariffs have been established. We do not believe that tariffs are the answer, and we urge all parties with an interest in the export of Scottish goods to come together to work towards a mutually beneficial resolution.

Christine Grahame: The First Minister must, of course, be constrained and diplomatic and work in the interest of Scottish businesses. I understand that, but I am not so constrained. I find Donald Trump to be creepy and see his policies potentially wrecking not only the world economy but the Scottish economy.

Does the First Minister recall that, in 2019, phase 1 of Trumponomics involved using tariffs against the European Union, which impacted Scotland when a 25 per cent tariff on each bottle of malt whisky cost the industry £600 million in just 18 months? What damage does the First Minister worry would be brought to the whisky industry and others if tariffs were to continue or to be reimposed?

The First Minister: It would be a brave individual who suggested that Christine Grahame should be diplomatic on any day of the week, and I certainly do not intend to go into that particular abyss.

Christine Grahame raises an important issue because, if there were to be tariffs of the type that she set out, that would be very damaging to key sectors of the Scottish economy, of which probably the strongest example would be the Scotch whisky industry. That is why, although I entirely understand that people will have very strong views about President Trump, it is my duty as First Minister of Scotland to ensure that I take every step that I can to protect the economic and national interests of Scotland. That is why, should that situation arise, I will engage emphatically to protect the interests of Scotland and to engage with the President of the United States if it is necessary to do so.

I hope that we do not end up in that situation, because Scotland and the United States enjoy and experience a strong and long-lasting relationship, and I want that to continue to thrive in the years to come.

Murdo Fraser (Mid Scotland and Fife) (Con): I remind members of my entry in the register of members' interests in relation to my connection with the Scotch Whisky Association.

As Christine Grahame has fairly said, tariffs on Scotch whisky during Donald Trump's first presidency were calculated to have cost the industry £600 million, and we cannot run any risk of that damage being repeated. Does the First Minister therefore agree that all politicians here should recognise the need, in the interests of our economy, to work constructively with the new US regime, whatever our view of Donald Trump might be, and that, in the words of the new president of the Scottish Chambers of Commerce, some need to "haud their wheesht" when it comes to criticising the President?

The First Minister: If Murdo Fraser will forgive me, I will just be accountable for my conduct and contribution. People can be assured that this First Minister will be focused on the issues that matter to the people of Scotland. We have talked about the national health service already in this session. The issue of the NHS matters to me, and the Scottish economy and its prospects, including those of the Scotch whisky industry, all matter to me, into the bargain. I will take forward my responsibilities to make sure that Scotland's economic interests are protected. Should that come from engagement and dialogue with the President of the United States, notwithstanding people's views about the President, I will do exactly that, because it is my duty as First Minister to do so.

Accident and Emergency Waiting Times

5. Meghan Gallacher (Central Scotland) (Con): To ask the First Minister what steps the Scottish Government is taking to address concerns regarding waiting times in A and E departments, following reports of a mother having to wait 50 hours for medical care at University hospital Wishaw. (S6F-03736)

The First Minister (John Swinney): I apologise for the long wait that was experienced by the patient who was referred to by Meghan Gallacher, and to anyone whose experience of the national health service has fallen short. Services have been under exceptional pressure due to a number of issues, including a rise in winter illness, as I recounted to the Parliament last week.

On Monday, along with the Cabinet Secretary for Health and Social Care, I held a further meeting with health boards, the Scottish Ambulance Service, NHS 24 and Public Health Scotland to assess the pressures and discuss ongoing work to minimise delays. As part of that, we will build on the good work that is under way in many boards to ensure that every core A and E department has a frailty unit, which has been shown to shorten lengths of stays and improve outcomes for patients.

Meghan Gallacher: Lynn Nelson said:

"I genuinely did not believe I would leave that hospital."

When I spoke to her this morning, she told me of her ordeal when she arrived at Wishaw general hospital in my region. She told me that the hospital was like a war zone and that she had no access to basic facilities such as a toilet or medication for pain relief. The issue is not the nurses or the doctors; it is the system that is fundamentally broken. Lynn is grateful to all the NHS staff who helped her, especially those on the ward, who she says gave outstanding care.

However, Lynn is yet to receive an apology from the health secretary for the disgraceful mismanagement of our NHS. She does not want anyone else to endure what she did. Will the First Minister write to Lynn to apologise for her having to wait 50 hours for medical care at Wishaw general hospital? Will he finally admit that the system is broken and install a health secretary who is fully focused on fixing our NHS?

The First Minister: If Meghan Gallacher provides me with her constituent's address, I will happily write to convey the apology that I have put on the record in the Parliament today, because I think that what happened is unacceptable. However, I have also explained to the Parliament the enormous pressures that the health service is enduring because of the significant upsurge in winter flu cases that we have experienced in recent weeks.

The situation that was reported to me and the health secretary on Monday is an improved situation. The pressure is less intense. That should not be confused with there being no pressure, because there remains significant pressure on the national health service, but the health secretary and I are entirely focused on making sure that we address those issues, and we will continue to do so, because it is essential that we focus on what matters to the people of Scotland. That is about improving the health service, which is what we are committed to doing.

Jackie Baillie (Dumbarton) (Lab): Every week the First Minister says sorry, and every week it gets worse. A and E departments across Scotland continue to be in chaos, with more than 173,000 patients having waited more than eight hours to be seen in A and E last year.

The First Minister hosted an NHS crisis meeting in Bute house yesterday. He has already sidelined the health secretary, and he is finally waking up to the years of Scottish National Party failure, but, of course, he was at the heart of the SNP Government for 17 of those 18 years. The First Minister is keen to tell us about the importance of staff, and on that we can agree. They are working flat out to keep patients safe, and there is no solution to the crisis that does not involve NHS

staff. I therefore ask the First Minister to explain why Unison and other trade unions that represent the majority of NHS staff were not invited to his meeting yesterday. Do they not matter?

The First Minister: Jackie Baillie said that every week it gets worse. That is not true. *[Interruption.]* I am getting lectured about the importance of accuracy in what we say in the Parliament, so Jackie Baillie better listen to what I am going to say to her about her statement. *[Interruption.]*

The Presiding Officer: Let us hear the First Minister.

The First Minister: Although the performance of A and E units is not where we want it to be, performance on the four-hour target has risen in each week since the week ending 22 December as a result of the hard work of the staff in the health service. Jackie Baillie should stop running down the staff of the national health service. For her information, I note that more than 1 million patients in Scotland have been treated within the four-hour target during the past year, and that is because our staff deliver on our behalf. We are very proud of them, into the bargain. *[Interruption.]*

The Presiding Officer: Let us hear the First Minister.

The First Minister: Oh, I think that I have touched—*[Interruption.]*

The Presiding Officer: I am calling on members to ensure that we can hear the First Minister or, indeed, whoever has been called to speak.

The First Minister: I do not think that Jackie Baillie wants to hear that she is giving factual inaccuracies to the Parliament today. I do not think that she is interested in hearing that. *[Interruption.]*

The Presiding Officer: Can we please conduct ourselves in an orderly manner?

The First Minister: I am going to explain the fact that Jackie Baillie is sharing incorrect information with the Parliament. If Jackie Baillie—*[Interruption.]*

The Presiding Officer: This is wholly unacceptable. If there are members who wish to come to the chamber and shout, they should perhaps think about whether this is where they wish to be. We have a great—*[Interruption.]*

If members wish to remain in the chamber, it is essential that they conduct themselves in a courteous and respectful manner. That includes respecting the authority of the chair.

The First Minister: On Wednesday, I had a round-table discussion with the health secretary and a range of health stakeholders, some of whom

represent employees in the national health service. The author of the survey that Mr Sarwar cited to me last week—the Royal College of Nursing—was represented around the table. It is important to note that I heard directly from those who represent some of the workforce.

That is not the last discussion that we will have in Bute house about the national health service. We made that clear earlier in the week. If Jackie Baillie had been paying as much attention to my press output as Anas Sarwar has, she would have heard that there will be more round-table discussions in Bute house. I will be delighted for Unison, the GMB and other unions to participate. I suspect that they will make a more constructive contribution than Jackie Baillie ever will.

Deepfake Images and Videos

6. **Pauline McNeill (Glasgow) (Lab):** To ask the First Minister whether the Scottish Government plans to make creating sexually explicit “deepfake” images and videos a crime. (S6F-03730)

The First Minister (John Swinney): I recognise the significant harm that can be caused by such images—especially to women, who are often the victims. The publication, distribution or sharing of sexually explicit deepfake images or videos without consent can currently be prosecuted using the offence concerning disclosure of intimate images.

The development of artificial intelligence means that creating such images is easier than ever. It is a growing problem, which we take very seriously. Therefore, we are carefully considering whether specific legislation is required to provide greater protection to those who are at risk of image-based abuse. That work includes giving consideration to United Kingdom Government plans to criminalise the creation of deepfake images being extended to Scotland. That would require legislative consent, and we are open to working with the UK Government on it.

Pauline McNeill: Deepfake abuse has been described as a “new frontier” of violence against women. The proliferation of sexually explicit deepfake images has grown at an alarming rate and is causing devastating harm to victims. #MyImageMyChoice, which is a campaign group that tackles image abuse, has found that 99 per cent of deepfake images are of women and girls.

One of the most unsettling features of that abuse is that it is often people who are known to the victim who are creating and sharing the images. Teenage girls have found that their classmates are using apps to transform their social media posts into nudes before sharing them. I have raised the issue before, so I am

pleased with the First Minister's answer. Does he agree that there is now urgency to close any loopholes in the law in Scotland by working with the United Kingdom Government, which is doing the same? As I said, it is the sharing of images that is illegal, so we need to close that gap. Does the First Minister agree that we, as a Parliament, and the Scottish Government need to send a clear message that dealing with that type of abuse is part of the campaign to eradicate violence against women and girls?

The First Minister: Yes. I agree with that point from Pauline McNeill. She makes an important point about the pace at which the threat has arisen. The answer of substance that I gave was based on the fact that, in 2016, this Parliament passed the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, which provides for the action that I set out in my answer. However, it is just nine years later, and the situation that Pauline McNeill has put to me demonstrates the pace at which roll-out of technology is happening.

The UK Government has said that it intends to amend the Data (Use and Access) Bill to criminalise those who create artificial images either for sexual gratification or to cause alarm, distress or humiliation. There is perhaps an opportunity to move at pace because of what the UK Government has done and because it has a legislative vehicle available for us to utilise legislative consent to make urgent progress on the question. I give Pauline McNeill the assurance that the Government will engage constructively with the UK Government, with urgency, to ensure that that is the case.

The Presiding Officer: We move to general and constituency supplementaries.

Cream o' Galloway (Manufacturing)

Emma Harper (South Scotland) (SNP): Does the First Minister share my concern about the news that Brymor, the owner of the uniquely Dumfries and Galloway brand, Cream o' Galloway, is planning to move manufacturing of the brand from Galloway to North Yorkshire? It is a huge letdown for local people and will be of considerable concern to my constituents. Can the First Minister provide an assurance that the Scottish Government's PACE—partnership action for continuing employment—will support anyone who has lost a job?

The First Minister (John Swinney): I regret that decision. Obviously, the Government will use its agencies to support any individual who is affected. We will also engage with the company to see whether there is any way in which we can ensure continuation of production in the Dumfries and Galloway area, given the importance of

authenticity in the source of production of important products of that type.

Pinneys of Scotland Site

Oliver Mundell (Dumfriesshire) (Con): It has been reported that the former Pinneys site in Annan has been broken into 12 times in the past year, and the factory has been ransacked. It is coming up for seven years since the factory's closure was announced, and there is no sign of life at the site, let alone the 120 jobs that were promised by the Scottish Government at the time, when Scottish Enterprise sourced a buyer for the site and pledged to invest almost £2 million of taxpayers' money.

Recent events have left my constituents wondering what has gone so badly wrong. Will the First Minister commit to an investigation of the deal with Bhagat Holdings Ltd, and will he publish a timeline of the involvement of the Scottish Government and its agencies at the site since 2018?

The First Minister (John Swinney): I am happy to provide Mr Mundell with a substantive response to the points that he has raised. Our enterprise agencies do a very good job of securing investment and working with companies to create employment. They have a formidable track record of success.

There will, however, be ventures that do not come to fruition. Members who have any understanding of the economy understand that there is risk; some ventures succeed and some ventures do not. However, I am assured and confident that our enterprise agencies do a fantastic job in attracting investment to our country, and we should all applaud the work that they undertake.

Cervical Cancer (Vaccination Programme)

Clare Haughey (Rutherglen) (SNP): In the United Kingdom, around 3,200 women are diagnosed with cervical cancer each year, with more than 800 of those losing their lives. This week marks cervical cancer prevention week, which is a week-long campaign that raises awareness about cervical cancer screening and prevention, encouraging uptake of both. Will the First Minister provide an update on the success of the human papillomavirus vaccine programme in reducing cervical cancer rates in Scotland?

The First Minister (John Swinney): The HPV vaccination programme has achieved great success in Scotland. Since the programme started offering immunisation to girls aged 12 to 13 in schools, research has shown that no cervical cancer cases have been detected in women who have been fully vaccinated as part of the

programme. It is a remarkable achievement by the programme.

The Scottish Government is working with Public Health Scotland and the cervical cancer elimination expert group to ensure that our measures to eliminate the diseases that are caused by HPV are available to all and effective for all, with the aim of eliminating cervical cancer. This year's vaccination programme is under way. I strongly encourage parents to give their consent and ensure that young people receive the protection that is offered by the vaccine.

Uist (Haulage Costs)

Rhoda Grant (Highlands and Islands) (Lab):

The First Minister will be aware of the eye-watering increases in haulage costs for perishable food to businesses in Uist. In some cases, prices have increased by 120 per cent, stopping some food supplies within the islands. Press reports state that DFDS has already engaged with the Scottish Government about the issue. What is the outcome of that engagement? Will the First Minister act to protect consumers in Uist? Will he now stop the 10 per cent ferry fare increase to the islands?

The First Minister (John Swinney): The Government has had engagement with DFDS on that question. I will ensure that an update is provided to Rhoda Grant on that, so that the concerns that have been raised can be properly addressed. Obviously, it is a decision for DFDS.

The Government has to operate a sustainable ferry network, and the price increases that have been put forward are essential to ensure the sustainability of the ferry network, which is critical to the delivery of good services and to individuals' access to the islands. Of course, many ferry journeys benefit from the road equivalent tariff, which was brought in by the Scottish Government. That has meant that the cost of travel to our islands is formidably lower than it would have been had we left the matter to the neglect of the Labour Party, which did not introduce the road equivalent tariff before this Government came to office.

Bank of New York Mellon (Edinburgh Office)

Jeremy Balfour (Lothian) (Con): The First Minister might be aware that BNY Mellon has announced the closure of its Edinburgh office, signalling the loss of around 400 jobs for the Lothian region. Has the First Minister had any contact with the bank? Does he accept that the reason why those jobs are going south is to do with the policies that his Government is pursuing?

The First Minister (John Swinney): That is a significant issue. The point that I would make is

contrary to what Mr Balfour has put on the record. If I heard him correctly, he mentioned the closure of the BNY Mellon site. However, that is not what BNY Mellon said this morning, which was that it is

"currently evaluating the scale of our operations at our Capital House site in Edinburgh".

It is really important that members of Parliament do not cause unnecessary alarm among members of the public who are employed by companies. If I misheard Mr Balfour, I will apologise, but I do not think that I did.

We engage constructively with BNY Mellon, which is a great investor in Scotland: it is one of a huge number of financial services companies that employ thousands of people here. Yesterday, the Deputy First Minister and I, along with a number of ministers, visited the new headquarters of JPMorganChase, which employs more than 2,500 staff at a magnificent state-of-the-art campus that it has opened in the centre of Glasgow.

We should have a lot of pride in the strength of our financial services sector. The Scottish Government will always engage constructively with any company that is examining the footprint of its operations in Scotland.

Energy Skills Passport Pilot

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): As we progress on our journey to net zero, it is absolutely vital that we recognise and retain the considerable skills of oil and gas workers, who will continue to play an incredibly important part in taking forward the green jobs of the future. How will the energy skills passport pilot scheme, which was launched this week, support workers to identify routes to careers in renewables and clean energy?

The First Minister (John Swinney): That is one of the measures that we are bringing forward as part of our programme. We have provided £3.7 million of funding to support the industry in developing an energy skills passport, which will help the transition that Audrey Nicoll refers to. It is important that the skills that we have available to us in Scotland in the oil and gas sector can be utilised in all aspects of economic activity in Scotland, and I am very optimistic that that will be the case with renewables as well.

NHS Tayside (Job Grading)

Michael Marra (North East Scotland) (Lab): I refer members to my entry in the register of members' interests, which shows that I am a member of the GMB union.

In October last year, I raised with the First Minister the case of NHS Tayside district nurses who have been waiting six years for their job

grading to be honoured. Shona Middleton and Cathy Fugaccia toiled through the pandemic and served the public of Tayside day in, day out, and they are with us in the public gallery today. Shona has said:

“We are nurses not political campaigners and would much rather not have to go to Holyrood but we refuse to give up. It is not just about us. It is about all NHS Scotland staff being treated with fairness and respect. Managers should not be allowed to choose which of their promises to keep and which to break.”

Surely the First Minister can tell them today that six years of delays and excuses are entirely unacceptable, and that NHS Tayside should finally get its act together.

The First Minister (John Swinney): Obviously, I want those issues to be resolved. Health boards have a responsibility to exercise their functions properly in that respect. I will seek an update from NHS Tayside on that question and share it with Mr Marra. In my previous exchange on the issue with Mr Marra, I made the point that, as the case may well reach an employment tribunal, I have to be careful about what I say in that respect but, with that caveat, I will try to give Mr Marra as comprehensive a reply as I can on the current situation in relation to the case.

Animal and Plant Health Agency (Livestock on Ferries)

Tim Eagle (Highlands and Islands) (Con): I remind members of my entry in the register of members' interests, which shows that I am a farmer.

The First Minister might have heard this week of a very unhelpful change by the United Kingdom Animal and Plant Health Agency that means that livestock would need to be accompanied on ferry journeys by someone who could euthanise the animals. However, I have just heard—literally in the past couple of minutes—from the Scottish Crofting Federation and NFU Scotland that the APHA has rolled back on that, which means, I hope, that the change will not need to go ahead.

Has the Government had any contact with the APHA on the issue, and if it has not, will it do so to make sure that we do not need to put that change in place? Will the Government make sure that CalMac Ferries talks to our island agricultural community to make sure that people know that the change is not going ahead?

The First Minister (John Swinney): The issue will not be with CalMac, because it will have to follow the regulatory regime that is put in place by the animal health regulator. If that situation has transpired, I welcome it. I am very familiar with the strength of the agricultural community in our islands. Indeed, on Monday, Mr Fairlie and I were

involved in discussions with the agricultural community in the highland Perthshire area, and representatives from Orkney travelled down to take part in one of the other round-table discussions that I was involved in this week.

I want to make sure that we can support our island agricultural communities. I will explore whether we need to make any further advice available but, if the situation that Mr Eagle has put to me has arisen, I am pleased to welcome that.

The Presiding Officer: That concludes First Minister's question time. The next item of business is a members' business debate in the name of Michelle Thomson. There will be a short suspension to allow people to leave the chamber and the public gallery.

12:49

Meeting suspended.

12:51

On resuming—

Women's Role in Net Zero

The Deputy Presiding Officer (Liam McArthur): The next item of business is a members' business debate on motion S6M-15413, in the name of Michelle Thomson, on promoting the role of women in Scotland's journey to net zero. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises what it sees as the importance of women in business as Scotland strives to achieve net zero targets; understands that there is a need to stimulate more innovation and entrepreneurship amongst STEM-based sectors to contribute directly to building capacity in Scotland, including in the Falkirk East constituency, and recognises that the wider business sectors also have a role to play in achieving net zero; welcomes the July 2024 Global Entrepreneurship Monitor (GEM) report, and particularly the analysis provided by Glasgow, Edinburgh and Strathclyde universities regarding female entrepreneurship in Scotland; celebrates the finding that women are starting and running new businesses at virtually the same rate as men for the first time in Scotland, and that, globally, the female to male gap in entrepreneurship rates is narrowing, and believes that Scotland is leading the way by this measure; considers, therefore, that women entrepreneurs and business leaders will be a vital resource in leading Scotland's economy towards growth and net zero, but believes that, post-school, the number of females entering STEM-related education, employment or business start-ups remains weak; understands that a 2023 report by Women's Enterprise Scotland expressed concern that approximately 60% of women-led businesses are somewhat disengaged from achieving net zero, either because of a lack of confidence or a belief that it does not apply to their operations; further understands that a fear of failure is a key cultural barrier to further developing entrepreneurial activity in Scotland at a time when innovation and entrepreneurship will, it believes, be vital to meeting the challenge of achieving net zero, and notes the calls for both effective representation of women in all net zero policy forums and further research into the contribution of women directly in STEM-based businesses and wider business sector activity as net zero is pursued.

12:51

Michelle Thomson (Falkirk East) (SNP): There is significant evidence to suggest that our net zero ambitions are at serious risk unless we have a better focus on mobilising the commitment and talents of women in all areas of policy making, leadership and action. Research shows that women are more committed than men to recognising the need to reach net zero, despite being sidelined in many aspects of the work that is required.

At the 26th United Nations climate change conference of the parties—COP26—which was held in Scotland in 2021, climate change in relation to gender equality was one of the topics

that were discussed. A coalition of women's groups called for women to play a greater role, yet in 2025, we must still repeat those calls.

Perhaps because of that, some positive actions are being taken in Scotland, such as those taken by Scottish Renewables. Its new voices campaign, which is sponsored by Ørsted, provides a year-long series of workshops for 10 participants from underrepresented groups. This year, six of the cohort are women.

However, Scottish Renewables knows that there is a long way to go and points out:

"Women continue to face wide and varying barriers to equality throughout their careers with a lack of encouragement to enter traditionally male dominated fields, such as STEM ... there has so far been a lack of focus on the women involved in the Renewables supply chain in Scotland".

That must change. Scottish Renewables' recognition of the issue is supported by international research. The global consultancy Oliver Wyman published research that claimed that although a fifth of major corporations have pledged to reach net-zero emissions, albeit by 2050, few actively considered or included women in their climate action plans. Although diversity and climate change were viewed as priorities, astonishingly, the research notes that

"almost none have considered how linking the two management priorities could accelerate their transition to net zero emissions."

Some companies, such as Scottish Power, are addressing the problem, and they run programmes that range from international leadership to setting up in-company women networks. Scottish Power says:

"The more we can do as an industry and a society to show the opportunities available to women the more beneficial it will be to our journey to net zero."

One of the problems in the political sphere is the dominance of overly simplistic, zero-sum thinking, which is beautifully explained in a blog article by Professor Graeme Roy and Sir Anton Muscatelli that the National Institute of Social and Economic Research published this week. From my perspective, we must not see the encouragement of more women into policy-making or leadership roles as if it is part of a zero-sum game with men. It is all about improving the overall impact for everyone's benefit.

I am extremely grateful to Dr Hannah Salamon from the University of Glasgow for sending me an advance copy of her excellent blog entitled "Where are the women in the UK's green energy transition?" When looking at the issue of underrepresentation of women, she points out:

"This marginalisation of women in green energy is problematic from two perspectives: first, it threatens the

success of the energy transition from a workforce perspective. Second, it withholds the benefits that come along with the fast growth of the green energy sector (financial, social, and political) from women.”

I am particularly grateful to Hannah for offering to work with me in pursuing the agenda further.

Last February, Nesta—formerly the National Endowment for Science, Technology and the Arts—reported on a United Kingdom Government report regarding public awareness and behaviour towards climate change and net zero. The report revealed that men and women think and behave differently when it comes to climate change. Some 93 per cent of men claimed awareness of net zero, but only 78 per cent expressed concern. In contrast, 85 per cent of women claimed both awareness of and concern about net zero. Furthermore, men are more likely than women to anticipate a negative economic impact from a transition to net zero. In other words, men are more likely to see the transition to net zero as a zero-sum game.

Despite women being more concerned, as I have outlined, it is largely men who drive policy making and lead our major businesses. I will highlight a practical example. An article by three University of Cambridge scholars, published less than a month ago, entitled “How Gender Influences the Motivation and Action Towards Climate Change: A Qualitative Study of Participants from a UK Construction Company”, reported on the results of an in-depth investigation of a large construction company. The results give us a clear insight into the difference between male and female actions. Unsurprisingly, where male culture predominates, as it does in construction, there is a lower action focus on climate change. Not only that, but the ways in which actions are carried out is important. The study notes:

“Given that women are more likely to display altruism and empathetic decision-making, it is crucial to incorporate this gender group in key societal decisions, actions and plans.”

I would argue that how we get to net zero, as well as the actions that we take, are important, and empathy and understanding are surely part of that. We must deliver change through people and not to people.

All the prevailing evidence suggests that increasing the engagement of women in net zero policy work, whether in business or in government, will accelerate actions towards net zero. Of course, this debate is about the future, not just the past—a future that I want to see shaped by the active engagement of all sections of our society.

It is not just the energy sector but all sectors of the economy and business that need to change, from the initial small-scale start-ups to large established corporations. The need to focus on net

zero is considerable, but action can be accelerated by ensuring that women have a much stronger role to play. Despite its importance in Scotland, it cannot be left to organisations such as Women’s Enterprise Scotland to fight for change, although its pioneering work is to be greatly welcomed.

I would like to ask the cabinet secretary two questions. First, what is the Government’s strategy for involving more women in working specifically towards net zero? Secondly, what research into the role of women in pursuing net zero does the Government currently support?

I do not see this as a party-political issue, and I have deliberately avoided any party comment in my motion and speech. I believe that this is an issue on which members of all parties should and can come together to argue for more women to be engaged in net zero leadership and action. I concede that that is not an issue that can be left to Government alone. This issue—our shared issue—is one for all of humanity.

12:59

Pam Gosal (West Scotland) (Con): Before I begin, I thank my colleague Michelle Thomson for bringing this important issue to the chamber. I know that she cares deeply about women and girls, and that is why I am pleased to be speaking in today’s debate.

The last time that I spoke in a similar debate, I provided examples of actions that have been taken by higher education institutions to encourage women’s inclusion in the science, technology, engineering and mathematics fields. Today, I will use my time to discuss how we can best encourage women to play their part in Scotland’s journey towards net zero through business and education.

It was good to hear Michelle Thomson speak about Scottish Power. Last year, I was pleased to be invited to Scottish Power’s headquarters in Glasgow and to hear about the excellent work that it does to promote women. I heard at first hand about its initiatives to support women and ethnic minorities through organisations such as connected women and its VIBE—voice of inclusion and balanced ethnicity—network.

When it comes to women in enterprise, a 2020 survey from Women’s Enterprise Scotland showed that women-led businesses made up 22 per cent of all employer businesses in Scotland. However, the same survey found that 39 per cent of women entrepreneurs lacked confidence in their companies’ ability to achieve net zero, and only 4 per cent were applying for any related financial support.

Education is key to encouraging women to participate in STEM and business. In my speech on that topic in 2023, I expressed my disappointment in the Government's decision to roll back funding that it had announced for Scotland's colleges and universities, yet the latest budget has allocated a real-terms resource funding cut to colleges and universities. I hope that that decision is reconsidered. Universities and colleges do a lot to encourage female entrepreneurship and participation in STEM. For example, West College Scotland's female boss enterprise challenge empowered young women to become entrepreneurs and to pitch their ideas in front of judges.

Education in STEM must start from a young age. Schools should be encouraging girls to take up STEM subjects. To do so, schools need the resources to recruit teachers who will inspire pupils to love those subjects. Most importantly, we need a change of attitude. To this day, we tell our sons that they should be scientists, doctors or engineers, but it is not often that we tell that to our daughters. I hope that that attitude changes.

We must not forget the importance of investing in the circular economy, and that can happen with the help of businesses. I take this moment to recognise the work that is done by a local business in my area, Gavin's Mill, in Milngavie. It is a shop and cafe that also operates as a registered charity. It is led by two wonderful women, Julie Hall and Sue Milne, and it engages in sustainability by promoting fair trade, climate justice and education and training, and by serving sustainable and local food. It is an excellent example of how an organisation can promote sustainability, and I hope that more will follow.

I reiterate the importance of advocating for the inclusion of women in the journey towards net zero.

13:02

Sarah Boyack (Lothian) (Lab): I, too, thank Michelle Thomson for bringing this important debate to the chamber. I am encouraged by the fact that I have seen more and more women in the top roles at organisations and businesses that I speak to, although a huge amount of work still needs to be done.

Groups such as POWERful Women, Scottish Renewables and trade unions play a key part in encouraging and supporting women to ensure that we maximise their opportunities in the energy sector, because the inequalities are currently stark. As Michelle Thomson said, we need to ensure that women's equality is at the heart of our action on the climate emergency. A recent article by Care International highlighted the need to

involve women in the journey to net zero, pointing out that

"Women and girls in the global south, who have contributed the least to the climate crisis, are bearing the brunt of its impacts. Yet they remain excluded from crucial decision-making and from accessing the resources they need to lead the change for their communities and the planet."

We, in Scotland, have a global responsibility, but we also have massive opportunities in this area as we create new green and renewables jobs. We can be world leaders. As it stands, however, the UK has a poor record, with only 25 per cent of green energy jobs predicted to be held by women in 2030. We must do better.

There is the potential for us to make the green transition a reality in Scotland, but there is a skills deficit. Any future for renewables without women at the heart of it is not going to work, so we need to see investment by the Scottish Government in creating training opportunities for women throughout Scotland. I hope that the long-awaited energy strategy addresses the issues that have been raised by Close the Gap.

There are massive opportunities, from engineering and construction to finance, project management and communications, but we need a rapid increase in the number of training courses for green skills across our Scottish colleges. The Scottish Government must also think about procurement processes, to ensure that women are brought along on the journey and that, when companies benefit from the green revolution, they also invest in women for the future, to ensure that the transition is gender balanced.

The point that Michelle Thomson highlighted about women's confidence is crucial, as is Pam Gosal's point about starting early. Our schools need to tell girls from a young age that they can be involved in the future of energy in Scotland.

Scottish Power's useful briefing for the debate talked about its sponsorship of camp CEO, a residential programme that enables young women to learn the skills to become green industry leaders of the future. That is a brilliant idea. I would like more such programmes to be adopted across the country, to ensure that women are encouraged to become the next generation of climate leaders and businesses.

Care International's article says:

"Investing in women-led climate action is not just a matter of fairness—it's a matter of effectiveness. Studies have shown that when women are included in decision-making and given the resources they need, outcomes are more sustainable, more innovative, and better for everyone."

We need to get going, push for more action and work together, because that change needs to be delivered for women now.

13:06

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): I am grateful to my friend and colleague Michelle Thomson for bringing the debate to the chamber. I know how passionate she is about the role and contribution of women in innovation and entrepreneurship in Scotland, and I commend her contribution and commitment to that.

I also commend the work of the cross-party group on women in enterprise, which Michelle Thomson convenes. The group has provided an excellent forum in which women entrepreneurs can collaborate on issues such as access to finance, internationalisation, the underrepresentation of women in enterprise and, of course, women in energy.

The motion is comprehensive and, although there is a need to stimulate innovation and entrepreneurship in STEM-based sectors, it recognises the role of the wider business sectors in achieving net zero. I refer to technology and digital skills, planners, lawyers and corporate hospitality, to name but a few. The motion also highlights the fact that the number of females entering STEM-related education, employment and business start-ups remains weak in Scotland.

My interest in women in STEM is deeply linked to the north-east energy sector and the rapidly growing demand for a strong STEM workforce to help Scotland become a global energy hub. Women entrepreneurs have a central role in that positive economic journey, and a lot of work is already being done in the energy sector to make that happen.

Earlier this session, I led a members' business debate on increasing the participation of women and girls in STEM learning and careers. Women in academia told me of the crucial role of inspirational teachers, parents and carers in shaping positive attitudes about gender and work. They also told me that the parity in STEM learning between boys and girls gives way to a divergence as children move through secondary school, with girls being significantly less likely than boys to choose STEM subjects beyond higher stage—the leaky pipeline. Given that girls often perform better than boys across all STEM subjects at school, and despite the fact that we can now purchase a Barbie professor doll, we must ask what is behind that divergence.

Beyond education, women told me of common themes in the challenges that women in STEM face, such as access to affordable childcare, after-school clubs and elder care. There is also much consensus on how to respond, and there are some good examples of work that is already under way.

I note that the 2024 Global Entrepreneurship Monitor report, which is mentioned in the motion, sets out further comprehensive detail on the support and resources that women entrepreneurs need—for example, access to markets and financing, and regulations that make working for themselves at least as attractive as being employed.

The headline figures in the Scottish Government pathways report on women in entrepreneurship are that one in five of Scotland's entrepreneurs are women and that 2 per cent of institutional investment in Scotland goes to women-led companies. I was pleased to hear the Cabinet Secretary for Economy and Gaelic respond to Michelle Thomson's questions at a recent meeting of the Economy and Fair Work Committee about the funding that derived from that piece of work. She confirmed her desire to

"take the funding to £4 million"—[*Official Report, Economy and Fair Work Committee*, 8 January 2025; c 26.]

in the coming year. I also commend Michelle Thomson for her tenacity in probing further, not just on funding but on issues such as culture and data—both of which are extremely important. I am very keen to hear more detail on the progress in relation to the pathways report in the cabinet secretary's response.

I commend all the women entrepreneurs in Scotland who are taking the brave steps to secure their own livelihoods, shape their own futures and change the world. I wish Michelle Thomson all the best in helping to create better opportunities for women in business.

The Deputy Presiding Officer: The final speaker in the open debate is Lorna Slater—for around four minutes, please.

13:11

Lorna Slater (Lothian) (Green): I, too, am very grateful to Michelle Thomson for hosting this debate.

Only 16.5 per cent of engineers in the UK are women. The recent report on the engineering skills gap outlines how far we are from having the skilled workforce that we need to fully take advantage of all the opportunities ahead of us as we build a low-carbon economy. Transitioning to a new type of economy is about not just finding new jobs for oil and gas workers—most of whom are men—but unlocking opportunities for the whole country.

Among the concerns on all our minds is how we maintain our income tax revenue as high-paying oil and gas jobs disappear. If we can support significant numbers of women, who, historically, are lower paid, to take up training in engineering and skilled trades, we tackle both problems—

having skilled workers and increasing our income tax take—not to mention tackling inequality and boosting our economy more generally.

We have an exciting opportunity here for a generation of 21st century Rosie the Riveters: Rosie the control systems engineer, Miriam the welder, Fiona the pipe fitter. There are many known barriers to women taking up such jobs: a lack of role models, and teachers steering girls away from studying maths, physics and computers.

When the Economy and Fair Work Committee visited Ferguson Marine, we had the chance to speak to a group of apprentices—all young men. When they were asked what made them decide to take up the apprenticeship, the answers were, “Because my uncle did this,” and, “Because my parents said that if you have a trade, you’ve got a job for life.”

When I challenged the human resources representative about the lack of women, the response that I got was, “Well, we go along to the local high schools regularly, and we ask the girls if they have a passion for shipbuilding—and they say no.” I was absolutely gobsmacked. Young men need only to go along with their family expectations and a desire for well-paid regular work, but young women are expected to demonstrate enormous passion for the topic. That is a huge inequality and barrier.

Efforts to get more women into skilled trades and engineering in Scotland have been haphazard at best. Questions are normally met with the response, “Well, we are doing things. They are just not working.” No, they are not working. It takes a critical mass—about 35 per cent women in a space—to change the social dynamic to one where women can start to feel welcome, normal and not singled out.

The goal, therefore, needs to be to get critical masses of women into key skills areas, and I have some suggestions that will work. There should be gender quotas for any skills programmes that are funded by public money—apprenticeships, college placements and scholarships. Publicly funded colleges should not be allowed to trap young women into low-paid careers, and they need to review the gender ratios in all their courses with respect to the wages that their graduates are achieving. Apprenticeships should be open to people of any age, to enable everybody who needs it to retrain in key areas. That would support women, career returners and career changers.

Every strategy in the green economy—the energy strategy, the national strategy for economic transformation and the climate emergency skills action plan—must have clear, actionable steps to improve gender balance, and not just a footnote of

warm, fuzzy intentions that does not actually lead to anyone doing or changing anything.

Organisations that are doing well with gender balance need to be asked how they are achieving that and must be given the opportunity to share best practice. Examples from other countries should be investigated, as other countries have much higher numbers of women in engineering and similar trades. Schools and careers advisers must actively encourage all young people, but especially women, to study maths, physics, computing and practical skills. We need to tell a story about gaining the skills to save the world, about the excitement and rewards of working as part of a team, and about problem solving and coming up with creative solutions. An exciting future is waiting for Scotland’s women. The implementation of the recommendations of the Withers review are an opportunity to address the matter seriously. I hope that the Scottish Government will do so.

13:16

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes):

I join others in thanking Michelle Thomson for securing the motion for debate in the chamber. I am conscious that, if there is to be progress on this very important issue, there has to be a collective effort, with responsibilities clearly outlined for the private sector and the public sector. More than that, there is a responsibility on us all to raise it as an issue of importance in the political chamber and in our culture.

The debate has highlighted an opportunity to do more cross-party work. I would be happy to convene a small cross-party discussion that considers the issues in greater detail, which could perhaps be chaired by Michelle Thomson, with contributions from members and others who are not in the political space.

Michelle Thomson has set out a number of questions that she, understandably, posed to me in the Government about what the Government is doing to involve more women in net zero and what research the Government currently conducts. There might be an opportunity to follow up the debate with a cross-party conversation, if others such as Pam Gosal, Sarah Boyack and Lorna Slater would be interested in that. We could consider what form that should take.

Michelle Thomson made the point that the way in which we reach net zero matters just as much as getting there, which is vital. Essentially, it is about the definition of “just transition”. We are all guilty of using the term without thinking about what it means. The first word—“just”—implies equity and justice, and an elimination and eradication of

inequity and inequality. As the statistics that a number of members have shared during the debate illustrate, the transition is anything but just as yet. Pam Gosal noted that 22 per cent of businesses are women led, and 39 per cent lack confidence about net zero. Sarah Boyack said that 25 per cent of green energy jobs are predicted to be held by women, which shows an inherent inequity. Lorna Slater said that 16.5 per cent of engineers in the UK are women, and we know that engineering will be critical for the just transition.

Those figures all illustrate that, if the just transition is indeed going to be just, we need to understand the impact on gender. As Audrey Nicoll outlined, we are dealing with, in her words, a “leaky pipeline”, in that the challenge is not the level of initial interest—or even the level of initial job entry—but what happens to those jobs. Sarah Boyack said that it is a question of not just fairness but effectiveness. For the just transition to work, it must be just on the basis of gender, and, if it is to be a transition—in other words, if it is to be effective—we need women in the driving seat, too.

Douglas Lumsden (North East Scotland) (Con): I agree that much of this has to be involved in the just transition. Obviously, we are still waiting for the energy strategy and just transition plan. Will this issue be covered in the plan, and will we see the plan this financial year?

Kate Forbes: Sarah Boyack spoke in similar terms about putting a lot of store in the energy strategy, which I gently suggest is the wrong approach. We know a lot of what we need to do right now with regard to the just transition plan, which I do think should be conscious of skills. I imagine that the energy strategy will be the subject of extensive debate. Sadly, though, I imagine that the support for women that is or is not in the plan will probably get very little attention, considering some of the other issues that it raises.

Sarah Boyack: I ask the Deputy First Minister to read Close the Gap’s submission, which addresses all those issues and highlights how we need to do more.

Kate Forbes: That is great—I will happily do so. Perhaps that confirms my point. I get a little bit nervous when people identify a strategy that has yet to be published as holding the answers, when, actually, we kind of know what we need to do, even on the basis of the stats that have been shared today.

I want to identify some of the work that needs to be done and which has been done. Michelle Thomson acknowledged the progress that has been made in recent years in closing the gender gap in business start-ups and participation. More women are seeing and seizing the opportunities of entrepreneurship; indeed, the Global

Entrepreneurship Monitor 2024 report highlights the parity in levels of early entrepreneurial activity for the first time in Scotland. The growth that the Global Entrepreneurship Monitor has set out reflects years of work by many across the chamber and by organisations such as Women’s Enterprise Scotland, whose research has prompted today’s debate.

There is more to do to ensure that women-led businesses are able to prosper beyond the start-up stage, to become established, sustainable and thriving businesses and to secure the funding and investment needed to grow and scale. I am responding to today’s debate, because I lead the work to implement the recommendations of Ana Stewart’s report, “Pathways: A New Approach for Women in Entrepreneurship”.

There is record funding of £2.6 million this financial year to widen participation in entrepreneurship through delivery of the pathways fund and the South of Scotland Enterprise pre-start regional pilot, and that funding will increase to at least £4 million in the next financial year. The Techscaler programme, our £42 million national programme for creating, developing and scaling tech start-ups, has active partnerships with organisations explicitly focused on supporting female entrepreneurship, such as AccelerateHER. It works in partnership to run hackathons and focused development events to address challenges such as reducing carbon emissions and advancing clean technologies, providing a platform for female-led ventures in clean energy, transport and legal tech. A number of new and innovative women-led businesses have been supported through that.

I appreciate that I am out of time, Presiding Officer, but, if I may, I want to make a short comment about education. Pam Gosal said that education is key, and that is quite clear. We need a pipeline of founders and people with the right mix of skills. Today’s young people are the entrepreneurs of the future. The young STEM leader programme gives young people in Scotland the chance to become STEM role models and to inspire their peers to develop an interest. That is key when it comes to inspiring women to get involved. It is important that we retain the skills and talent of women and girls in STEM jobs once we have sparked that interest, and we are funding Equate Scotland, through the equality and human rights fund, to support women’s recruitment to, retention in, return to and success in STEM jobs, where they are significantly underrepresented.

The fact that I am a minute and a half over my time illustrates the number of comments that could be made about the issue. I invite colleagues across the chamber to take the matter up in a

different forum to consider the data and what we can do jointly.

I thank you for your discretion with the time, Presiding Officer, and I thank Michelle Thomson for bringing the debate to the chamber.

The Deputy Presiding Officer: Thank you very much, Deputy First Minister. That concludes the debate, and I suspend this meeting of Parliament until 2 o'clock.

13:24

Meeting suspended.

14:00

On resuming—

Portfolio Question Time

Social Justice

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business this afternoon is portfolio question time, and the portfolio on this occasion is social justice. I remind members who wish to ask a supplementary question to press their request-to-speak button during the relevant question. As members will be aware, we are pretty tight for time across the afternoon, so there is the usual appeal for brevity.

Question 1 has not been lodged.

Budget 2025-26 (Anti-racism Promotion)

2. Maggie Chapman (North East Scotland) (Green): To ask the Scottish Government how its draft budget 2025-26 will contribute towards promoting anti-racism campaigns and initiatives. (S6O-04243)

The Minister for Housing (Paul McLennan): Presiding Officer, it is difficult to hear on the front bench. I do not know what it is like in the rest of the chamber, but the sound is very quiet here.

The Deputy Presiding Officer: I think that you are right, minister. We will investigate that. Ms Stewart, if you are able to respond to the question, we will try to deal with the audio.

The Minister for Equalities (Kaukab Stewart): The Scottish Government is committed to working with partners across the public and third sectors to embed anti-racism and advance the race equality framework, including through delivery of the anti-racism observatory, as stated in our programme for government for 2024-25.

The details of spending commitments are subject to the outcome of spending reviews by the Scottish Government and approval of annual budget bills by the Scottish Parliament. The equality and human rights fund for 2021-25 represents an overall £1 million increase on previous funding, with an additional £6.3 million—22 per cent—dedicated to race equality and anti-racism.

Maggie Chapman: Far-right activity stoking anti-migrant rhetoric and violence is on the rise around the world. High-profile figures are casually using fascist gestures and hateful language. Blatantly racist slogans and stickers are appearing with increasing frequency on bus stops, lamp posts and the like in Aberdeen and elsewhere. It is no wonder that many members of our diverse

communities feel increasingly targeted and marginalised.

Does the minister agree that we all have a responsibility, as part of our anti-racist practice, to stand up to and challenge racism wherever we encounter it? What work is under way with partners, including in the public sector, who support marginalised people, have responsibilities to protect them or have responsibilities to tackle racism?

Kaukab Stewart: We unequivocally condemn all forms of prejudice or hatred, including racism. They have absolutely no place in our society, and nobody should ever be subjected to them. The Scottish Government is committed to building cohesive communities within which divisive narratives will not resonate. It is everyone's responsibility to challenge hatred. We have been working closely with partners, including third sector organisations, justice organisations and local authorities, to tackle and prevent hatred and prejudice and to support and protect the marginalised communities that they serve.

Reinforced Autoclaved Aerated Concrete (Dundee)

3. Liam Kerr (North East Scotland) (Con): To ask the Scottish Government what its response is to reinforced autoclaved aerated concrete being found in current and formerly council-owned residential properties in Dundee. (S6O-04244)

The Minister for Housing (Paul McLennan): I recognise that it is a very difficult time for those households that are affected by RAAC.

In line with Institution of Structural Engineers' guidance, Dundee City Council assessed the RAAC in its rented homes as mainly low or medium risk and commenced a programme of inspections. The council is encouraging private owners to undertake their own surveys to identify the most appropriate action.

RAAC is regarded as an issue of building maintenance, with responsibility being a matter for property owners, informed by professional advice and best practice. We are working alongside Dundee City Council to ensure that affected households are supported appropriately.

Liam Kerr: In Dundee, 81 blocks of flats and 293 cottages, 133 of which have been bought from the council, have been found to have RAAC. Dundee residents in places such as Craigie and Menzieshill and residents in Milton Street in Monifieth tell me that they have been abandoned by their councils and the Government. I am afraid that the minister's answer will have just reinforced that view.

A fortnight ago, the First Minister told me that the Government would engage with councils and residents to navigate them through the situation. When can Dundee residents affected by RAAC expect to hear from the minister so that a meeting can be set up with them and the council?

Paul McLennan: Obviously, the situation in Aberdeen has been raised in the Parliament, too. I have met residents and the council on a number of occasions, and officials continue to do so. I have not had a meeting request from Dundee City Council on that specific issue. Of course, we would be happy to consider such a request.

We are engaging with the United Kingdom Government on the matter. I have a meeting with my UK Government counterpart in the next week or two, at which I will raise the issue of financial support to deal with RAAC. The previous UK Government said that it would support the provision of whatever funding was required. I will raise that issue with the UK Government.

Carer Support Payment

4. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government what its position is on whether carer support payment should be classed as income by the Department for Work and Pensions. (S6O-04245)

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): Carer support payment has been designed to largely mirror carers allowance to protect carers in Scotland by providing them with a safe and secure transfer of benefits. We have worked closely with the DWP and other United Kingdom Government departments to ensure that our benefit interacts with wider support in the same way that carers allowance does, so that carers can continue to get the support that they previously relied on.

When we introduce new extra support, such as the carers allowance supplement and the carers additional person payment, which we intend to introduce in the future, our fiscal framework agreement with the UK Government ensures that that extra support will not lead to reductions in other benefits.

Colin Beattie: Constituents have contacted me to report that the carer support payment will make a great difference to them, only for the DWP to remove the same amount from universal credit, because it is classed as income. Are discussions taking place with the UK Government to ensure that a no-detriment agreement can be put in place to allow carers in Scotland to benefit from the additional money?

Shirley-Anne Somerville: As I mentioned in my original answer, carer support payment mirrors

carers allowance. One reason for that is that it has the same purpose as carers allowance—it is an income replacement benefit for people who are less able to work because they have caring responsibilities. That means that it is treated as income when other income replacement benefits, such as universal credit, are calculated, but carers are still better off because an extra amount, which is called the carer element, can be included in the calculation.

Carers in Scotland get the extra support of the carers allowance supplement, which is not available in the rest of the UK, and, as I mentioned in my original answer, we are continuing our work to introduce the carers additional person payment. We are working with the UK Government to ensure that receipt of those benefits does not lead to reductions in DWP benefits.

Pam Duncan-Glancy (Glasgow) (Lab): It appears that the same thing is happening with council tax and through Social Security Scotland. On transfer to universal credit, some carer support payment claimants are being hit with immediate demands for payment of full council tax. My constituent was sent a bill of £350, which had to be paid in short order.

Staff and managers are aware of the issue, but they are only able to do a manual workaround. What can the cabinet secretary do to urgently update the information technology systems of local government, Social Security Scotland and the DWP to remove that unacceptable burden from people who receive benefits and staff who work in the system?

Shirley-Anne Somerville: Clearly, the IT systems of local government and the DWP are a matter for those organisations, but Social Security Scotland continually reviews how its processes can be developed.

We are engaging with the DWP, which is investigating the situation and working quickly to resolve any issues, and updated guidance has been issued to local authorities on the matter that Ms Duncan-Glancy has raised. In the meantime, I recommend that clients who are experiencing problems or have any concerns should contact the DWP or their local authority, which can investigate their case and correct any issues.

“Economic Impacts of Short-term Lets in Scotland”

5. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): To ask the Scottish Government what its response is to the report, “Economic Impacts of Short-term Lets in Scotland”, specifically in relation to the Scottish Borders. (S6O-04246)

The Minister for Housing (Paul McLennan): Tourism is an important part of Scotland’s economy. The short-term let market, which has grown significantly in recent years, makes a strong contribution, as is highlighted in the report.

We continue to work with the sector and local authorities to build Scotland’s reputation as a high-quality tourist destination, while balancing demand for homes during a time of housing emergency, by introducing regulations to safeguard guests, allocating an additional £2 million in funding to tackle empty homes, and providing £4 million for tourism infrastructure and £2 million to encourage visits to more of Scotland’s national attractions, all of which is furthering our national tourism strategy, as set out in “Scotland Outlook 2030: Responsible tourism for a sustainable future”.

Rachael Hamilton: The Scottish National Party Government has its priorities all wrong, because short-term lets such as self-catering generate £34 million and support 1,100 people in the Borders alone, while having a negligible impact on housing markets. In contrast, empty homes, of which there are almost 2,000 in the Borders, outnumber self-catering properties and offer no economic benefit.

Does the minister agree that the Scottish Government must do more to support Scotland’s £1 billion self-catering industry and should refocus its efforts on tackling economically inactive empty homes to get more people into them?

Paul McLennan: I already highlighted the additional £2 million for this year and the work that the Scottish Government has done to deliver 11,000 empty homes back into use in recent years. We continue to focus on that, but it is important to achieve a balance. You are right to mention empty homes but I do not share your view of the impact of the licensing scheme on tourism. We must look at the benefits that hosts and operators get from the scheme, such as being able to promote safe and high-quality businesses. We do not want to see hosts leaving the sector, but there is a range of factors to consider.

We have been supporting tourism. Through VisitScotland, we have pulled together an expert group to review the implementation of the scheme and that group will continue advising us on the issue.

Willie Rennie (North East Fife) (LD): Rachael Hamilton it is right to say that we should value the sector, especially in areas such as the Scottish Borders, but balance is important. We must ensure that there are sufficient homes for workers to be able to service the industry in order to keep it thriving. Does the minister think that control areas—which I support, although I do not support licensing—were designed with the east neuk and

St Andrews in mind when the scheme was being put together?

Paul McLennan: Mr Rennie makes an important point. Short-term let control areas were brought in separately to the licensing scheme and allow planning authorities to consider the impacts on the amenity and character of areas with high concentrations of short-term let accommodation. It is up to local authorities to decide whether to designate the whole authority or, as you suggested Mr Rennie, to apply it to much tighter areas, such as those you mentioned in your question.

The Deputy Presiding Officer: Please speak always through the chair, minister.

Social Security Access (Motherwell and Wishaw)

6. Clare Adamson (Motherwell and Wishaw) (SNP): To ask the Scottish Government how it is supporting people in Motherwell and Wishaw in accessing social security entitlements. (S6O-04247)

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): Through our benefit take-up strategy, we are implementing initiatives to support people to access their entitlements. That includes targeted marketing of payments and assistance from local delivery teams to help people apply, with advisers available at co-located venues in Wishaw and Motherwell.

The draft budget for 2025-26 includes more than £12.8 million for free income maximisation support and welfare and debt advice. Our investment supports advice services, which are delivered in many ways, including face to face, by telephone and on-line.

In addition, welfare advice and health partnerships provide financial advice directly in three general practices in the member's North Lanarkshire constituency.

Clare Adamson: Many vulnerable people find it particularly difficult to navigate the Department for Work and Pensions system, especially given the stigmatising language that we continue to hear from the United Kingdom Government about cutting social security bills. My Motherwell and Wishaw constituents have experienced errors in debt calculation and issues with the direct payment of their universal credit to third parties, especially energy companies. I would be happy to share examples with the cabinet secretary.

Will the cabinet secretary press the UK Government on ensuring that the current system of direct payments to third parties, including energy companies, is reviewed to ensure

accuracy, fairness and proper safeguarding measures for vulnerable claimants?

Shirley-Anne Somerville: I share the member's concern about some of the language regarding social security that we see being used by the Conservatives, by the UK Labour Government and, indeed, by Scottish Labour in its discussion of "handouts".

However, unlike the Department for Work and Pensions, we do not have powers to make direct deductions for third-party services. The Scottish Government is committed to ensuring that we operate with fairness, dignity and respect for all clients, including in our work on debt collection.

The UK Government's approach, which includes deductions for advance payments and historical overpayments, often leaves people with too little to live on. I will continue to press the UK Government to adopt fairer measures that safeguard people, including the work towards the essentials guarantee. The member raises a very important point about the impact that that can have on our constituents.

Social Security Scotland (Spending)

7. Stephen Kerr (Central Scotland) (Con): To ask the Scottish Government what plans it has to mitigate against future increases to Social Security Scotland's overall spend on benefits. (S6O-04248)

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): Social security is an investment in the people of Scotland. All Governments should be encouraging more people to take up the benefits that they are entitled to. The Scottish Government is investing around £6.9 billion in social security benefits in 2025-26, and that is projected to increase to £8.7 billion in 2029-30. The Scottish Government is committed to ensuring that finances remain on a sustainable trajectory and we will publish our next medium-term financial strategy later this year, alongside a fiscal sustainability delivery plan.

Stephen Kerr: That is 14 per cent of next year's budget being spent on social security. As the cabinet secretary says, that will rise to £8.7 billion in 2029. By the way, that is £1 million an hour. Although the First Minister claims, rightly, that the solution to poverty is good work and warm homes, the SNP seems to celebrate that increase. It should focus on reducing dependency by growing the economy and expanding the workforce. It should be aiming to cut the benefits bill, not planning to increase it exponentially. What will the cabinet secretary do to focus on tackling worklessness and helping benefit claimants to get back to work?

Shirley-Anne Somerville: I think that we have just heard some of that stigmatising language in

the chamber this afternoon. [*Interruption.*] When we talk about “dependency”—

Stephen Kerr: That is ridiculous. [*Interruption.*]

The Deputy Presiding Officer: Cabinet secretary, will you resume your seat for a second? I will not tolerate barracking across the chamber. We had that at First Minister’s question time and we are not going to have it during portfolio questions. We are going to listen to the questions and to the cabinet secretary responding to them.

Stephen Kerr: On a point of order, Presiding Officer. I apologise for shouting across the chamber, but I hope that you will understand that calling work a stigma is ridiculous.

The Deputy Presiding Officer: That is not a point of order. You are denying people the opportunity to come in with supplementary questions, because we are tied up with this nonsense. I ask the cabinet secretary to resume answering the question, and we will then move on.

Shirley-Anne Somerville: Thank you, Presiding Officer.

Through social security, the Scottish Government invests in low-income families, disabled people and carers. I am not sure which part of the “dependency” Mr Kerr believes that we need to get rid of—whether it is disabled people, carers or those on low incomes—but I am disappointed that he would suggest that dependency is an issue.

Mr Kerr is potentially unaware of the many people who are already in work but still receive benefits due to the inadequate low pay that they receive. He is also probably unaware of the fact that the vast majority of the increase in expenditure on social security is covered by block grant adjustments because UK forecasts are increasing, particularly in relation to disabled people.

A lot of the increase in Scottish Government expenditure is due to the fact that we mitigate the worst excesses of his party when it was in power. Disappointingly, not only will we have to continue to do so, but we will have to expand that mitigation due to the processes that we now have to put in place to mitigate the decisions of the current UK Government.

Paul O’Kane (West Scotland) (Lab): The cabinet secretary and I have discussed in committee our changing demographics, the demand-led nature of social security and the fact that it is vital that social security operates flexibly, with efficient systems to reduce waste. We need to be sure that spending on information technology systems, overpayments and errors is as minimal as possible in order to free up money for the funding that goes into our constituents’ pockets.

Given that, how does the cabinet secretary respond to recent reports that overpayments of £1.1 million in just three months were written off as official errors by Social Security Scotland? What action is she taking alongside the agency to make sure that we focus on reducing that waste and fraud in order to protect social security claimants?

Shirley-Anne Somerville: I thank Mr O’Kane for his question, because that is one of the areas in which we have to challenge ourselves to continue to do better. Part of the area that we need to work on is our reliance on the material that comes from the DWP. For example, are errors made because people are not due universal credit but are told that they are, so they receive the Scottish child payment?

There is integration between the two systems, which means that we have to check for official error at every stage. We also check that for benefits that are only in Social Security Scotland’s remit. The member raised an important point about the need to continue to challenge such errors, which is why there is continuous improvement and investment in Social Security Scotland’s digital systems to reduce the number of manual workarounds and to improve the IT systems. That work continues.

On the whole, the expenditure related to how Social Security Scotland administers social security compares well with the cost to the DWP. It does not cost more for Social Security Scotland to deliver the benefits, but it delivers them in a more humane fashion.

Food Insecurity

8. Rona Mackay (Strathkelvin and Bearsden) (SNP): To ask the Scottish Government what assessment it has made of any impact of the current cost of living crisis on the prevalence of food insecurity and reliance on food banks. (S60-04249)

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): The Scottish Government tracks food insecurity through the Scottish health survey. In 2023, results showed that 14 per cent of adults reported experiencing food insecurity, which is an increase from 9 per cent in 2021, and it is the highest level since the time series began in 2017. Younger adults were more likely to experience food insecurity than older adults, and adults who experience food insecurity have below-average life satisfaction and much lower levels of mental wellbeing.

Rona Mackay: Social security support, such as the Scottish child payment and best start foods, has helped Scottish households to secure, proportionately, the lowest food bank usage in the United Kingdom, but it is clear that efforts must be

redoubled to remove the need for food banks entirely. How will the cabinet secretary's commitment to a cash-first approach contribute to tackling food insecurity in Scotland?

Shirley-Anne Somerville: Scotland is the first nation to publish a plan that works toward ending the need for food banks, and we are taking forward nine actions over three years to improve the response to crisis using a cash-first approach. That is backed up by investment of up to £1.8 million in the cash-first programme, which supports eight public sector and third sector partnerships to strengthen urgent access to cash in a crisis and reduce the need for food parcels. The Trussell Trust and the Independent Food Aid Network agree that that approach is right. We are determined to see what more we can do to ensure that we take a cash-first approach, because it is making a real difference to people by delivering a much more dignified response to an emergency.

The Deputy Presiding Officer: That concludes portfolio questions on social justice. There will be a brief pause before we move to the next item of business, to allow those on the front benches to change places.

Fatal Accident Inquiries (Deaths in Custody)

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Angela Constance on the Scottish Government's response to fatal accident inquiries into the deaths of Katie Allan and William Brown. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:23

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): First and foremost, I express my deepest condolences to the families of Katie Allan and William Lindsay. I am deeply sorry for their deaths. Suicide is a tragedy, but it is also preventable, and the deaths of those two young people should not have happened while they were in the care of the state.

Sheriff Simon Collins KC has issued a comprehensive and hard-hitting determination that resonates deeply. Accountability starts with acceptance. The Scottish Government accepts Sheriff Collins's finding that those deaths were preventable and that systemic failures contributed to their deaths. Systemic failures require a systemic response. I hear and fully understand the families' demand for action and agree that we must take action, and we will.

Sheriff Collins has made 25 thoughtful and substantial recommendations. I accept those recommendations and commit to addressing in detail each and every one of them in our full formal response. I will report to the Parliament again when we provide that.

I will set out to the Parliament today six specific and direct actions that will contribute to the systems-wide reform that must now take place. I am determined to lead change across the Scottish Prison Service, the national health service and broader partners in order to take forward the necessary reforms. Although many changes have already taken place, further improvements are needed at operational and procedural levels. I also expect to see cultural change in the way that agencies work individually and collectively.

To ensure that we drive change and implementation and achieve the impact that is needed, we must strengthen oversight and accountability, and that needs to be independent. Starting now, we need oversight of the actions that are taken as a result of Sheriff Collins's determination, including those that I will set out today. I have therefore asked His Majesty's Inspectorate of Prisons in Scotland to provide

oversight and monitoring of implementation and, crucially, to review the actions that are taken to ensure that they meet the required outcome. I have asked the inspectorate to involve families and prisoners, just as it should involve prison staff, and to seek other expert advice. The inspectorate will report directly to me.

We also need independent national oversight in relation to deaths in custody. Work is already under way on that, but I will ensure that specific proposals are brought forward by March this year. Those proposals will strengthen accountability in relation to fatal accident inquiry recommendations and ensure that thematic and systemic issues are identified and addressed, which will also inform and support work on prevention.

I turn to the actions. The first relates to the physical environment in prisons and focuses on ligature and risk assessments. Sheriff Collins stressed the need for greater recognition by the SPS of the importance of ligature prevention. I confirm that the SPS will urgently and immediately review and revise its policy on items that can be used as ligatures. The SPS has taken action to address and refurbish the physical environment and has introduced trauma-informed training for staff that focuses on support for young people. It will do more by developing an anti-ligature risk assessment, which will further support work to ensure that spaces can be as safe as possible. In addition, the development of suicide prevention technology will be accelerated and, if viable, piloted and reviewed.

The second action relates to mental health services and information sharing. The Scottish Prison Service's suicide prevention strategy, talk to me, will be completely revised and overhauled. William Lindsay's case was, sadly, not unique. He was let down by many services before he arrived in custody, and there were failings in sharing information about his needs. We need to ensure that that can never happen again. The Scottish Government, the SPS, the national health service and the Scottish courts will work urgently and immediately to ensure that all the written information and documentation that are available to the courts are passed to the SPS at the time of a person's admission to prison. A standardised approach to sharing relevant information from agencies will also be developed.

The third action relates to death in prison learning and audit reviews. Those reviews will now include consideration of the safety of the prisoner's physical environment and the means by which they were able to die by suicide. That was a specific recommendation made by Sheriff Collins. The reviews now also allow for input from families, following engagement with the family reference group. However, there is more that we must do. I

therefore confirm that, with immediate effect, independent chairing of DIPLARs will be extended to all deaths in custody. I also confirm that the learning and key actions from those reviews will be available to those performing the independent national oversight role.

The fourth action relates to legal aid for bereaved families who participate in fatal accident inquiries. Currently, families are entitled to legal aid on the basis of means testing, with the majority of families receiving support. However, in recognition of the special significance of a death in custody, we will change the legal aid system to make legal aid free, with no means testing, in relation to fatal accident inquiries into deaths in custody. That will require primary legislation, which we will introduce at the earliest opportunity. Alongside that, I will bring forward proposals in relation to family advocacy and support outside the formal FAI process.

The fifth action relates to the FAI process. I agree with Sheriff Collins, among others, that the period of five years between the deaths and the first notice of inquiry was far too long. It is clear that the process is letting families down and that the time taken for FAIs to start and conclude needs to be addressed. I understand that the families do not want another review. However, unless we specifically look at the efficiency and effectiveness of the whole system, we will not see the improvements that are needed. I have discussed that with the Lord Advocate, who shares my view. I am therefore commissioning a focused independent review of the FAI system that will look at the efficiency, effectiveness and trauma-informed nature of investigations into deaths in prison custody. I will ask the inquiry chair to report to me by the end of this year on the solutions and the tangible actions that need to be taken.

Finally, although this is not in my gift to introduce, I will continue to pursue the lifting of Crown immunity with the United Kingdom Government. I believe that that should change in line with the position with other public bodies.

We also need to take more steps to improve alternatives to custody. Since I became justice secretary, I have said that there needs to be a shift in the balance from custody to justice in the community. People who break the law must face consequences for their actions, and sometimes there is no alternative to the punishment of deprivation of liberty. In other cases, that can be done safely and more effectively in the community. Let me be clear: people need to stop calling that "soft justice". If our mindset is that jail is the only option, we will never be able to stop the impacts that imprisonment can have on people, families

and society, which lead to further societal costs that we all pay for.

I want to go further on community justice and to drive more innovation in that area. Last year, I visited Northern Ireland and heard at first hand about the positive impact that has been achieved through its system of enhanced combination orders, which enable judges to address offending behaviour through alternatives to custody while providing for support and intervention to address the underlying drivers of such behaviour. Such examples speak to the whole-system approach that we need here. I will come back to the Parliament with plans to strengthen our community order system, and I want members to remember this day when I do so.

Like everybody here, I do not want there to be any preventable deaths in our prisons, and there should be no suicides. I assure members that we will address the systemic failures that were identified by Sheriff Collins and strengthen oversight of and accountability for the reforms that must be made. I expect services to be provided within a culture of transparency, candour and compassion. That is particularly true in relation to all people who are in the care of the state. Accountability starts with acceptance, but it does not end there. Accountability must also result in answers and actions that lead to lasting change.

I again extend my heartfelt condolences to the families of William Lindsay and Katie Allan, and to all families who have been affected by a death in custody. I know that they do not want condolences or hand wringing. It is action that they seek, and it is such action that we will deliver.

The Presiding Officer (Alison Johnstone):

The cabinet secretary will now take questions on the issues that were raised in her statement. I intend to allow about 20 minutes for questions.

Liam Kerr (North East Scotland) (Con): I thank the cabinet secretary for advance sight of her statement, and I extend my deepest condolences, too, to the families of Katie Allan and William Lindsay. I have three questions for the cabinet secretary, which I will keep brief to ensure that she has time to give full answers.

The cabinet secretary has signalled that she will pursue the lifting of Crown immunity. Will she set out for us when she anticipates real progress—and, I hope, success—with that?

Secondly, the cabinet secretary referenced the system of investigating the deaths of prisoners, but she said that it will take a further year to report. Will she explain why that further delay is needed to point out what seems to be obvious to everyone in the system, which is that it is not working?

Finally, the cabinet secretary says that she will extend legal aid to bereaved families participating in FAls, but the legal aid system is already very short of money and resources. What extra funding and resources does she consider are necessary in that respect, and when will they be made available?

Angela Constance: I very much appreciate Mr Kerr's questions. He will know that Crown immunity is not in my gift to deliver—it is a reserved issue. Nonetheless, I have made a commitment today to Parliament and, indeed, to the families who are sitting in the public gallery that I will pursue that matter in good faith.

I know that other members in the chamber will have party connections on both sides of the border. There was live discussion at stage 2 of the Police (Ethics, Conduct and Scrutiny) (Scotland) Bill about the much broader issue of good conduct or misconduct in public office. It is imperative that we all recognise that public confidence and trust in all our public services is what binds us together.

On the underpinnings of the work on fatal accident inquiries, I will come back to Parliament with a more detailed timetable, but I must be up front and say that I do not expect any work on fatal accident inquiries to be straightforward or plain sailing. I really hate the word “complex”, but in this case, that is what it is. I will consult others, but I want to ensure that we set the terms of reference for the work correctly so that it can be completed timeously.

I know that there are many issues to address and many asks for improvements around fatal accident inquiries, but first and foremost, in order to deliver for families who have been affected by death in custody, we must take a focused look at the death in custody fatal accident inquiries.

Legal aid is, of course, demand led. I have had a number of discussions with Cabinet colleagues on the work that we are about to commence. Inevitably, there will be implications in relation to the financial and human resources that are released to focus on that work.

Pauline McNeill (Glasgow) (Lab): I thank the cabinet secretary for advance sight of the statement, which I found helpful.

This must be a turning point for Scotland's prisons. Our system lacks accountability and transparency when there are deaths in custody. Sadly, there have been more deaths since the tragic and preventable deaths of Katie Allan and William Lindsay Brown.

Now is the time to adopt all the recommendations, which the Government has done, and to go beyond them and use them as the basis for whole-system change. For too long, the

prison system, which we trust to look after people on behalf of the state, has let down families. They have been immediately shut out of a system whose first response is to defend its own interests.

Communication to families immediately after the death of their loved one has been poor. The unfettered access to information following a death in custody that families were promised by His Majesty's Inspectorate of Prisons for Scotland in its recommendations is meaningless, unless those families have rights to their own representation.

I have one specific question. Will the cabinet secretary commit to legal aid support for all families in the first 24 hours following a death in custody so that they have a chance against the system when it comes to asking immediate questions about the circumstances of the death of their loved one? Families tell me that they feel closed out of the system during the first period after a death in custody, and such a move would go a long way to making sure that we have whole-system change.

Angela Constance: I very much embrace the point that Pauline McNeill articulated—that today should be a turning point not just for those in the care of the Scottish Prison Service, but in what more we need to do to prevent people from going to prison in the first place. As Cabinet Secretary for Justice and Home Affairs, I do not demur for one moment from the recommendations and the changes that now require to be made in the prison service.

My challenge to other Government colleagues and colleagues across the political spectrum is that we also have to look at what happens to people and what their life experiences are before they have any contact with the criminal justice system. When we do, we quite often see a litany of failures for the most vulnerable in our society.

I very much want to see equality of arms. That is particularly acute when there is a death in custody. I will look at Pauline McNeill's suggestion about the timing of legal aid support. As I hope that I have indicated to Liam Kerr and other members, there is, indeed, work—of breadth and depth—to do to ensure that we deliver on the promises that we have made today.

Maggie Chapman (North East Scotland) (Green): I, too, express my deepest condolences to the families and friends of Katie Allan and William Lindsay, whose deaths were preventable.

The cabinet secretary spoke of much-needed operational, procedural and cultural change across multiple agencies and institutions, as well as specific actions and the monitoring of implementation. Prevention must be paramount, both the prevention of behaviour that leads to imprisonment in the first place and ensuring that

those who must be incarcerated have the support that they need when they need it.

Can the cabinet secretary say more about the mental health services that are available and whether the revision of the talk to me programme will be sufficient? Can she also provide reassurances that suicide prevention technology will not replace the human, in-person support and contact that are important in sustaining and improving mental health for those who are in prison?

Angela Constance: Prevention is, indeed, paramount. First, it is paramount that we prevent people from having contact with the justice system in the first place and, secondly, that we prevent unnecessary incarcerations. Prevention work must be pursued to ensure that, once they are in our care, our people are kept safe at all times.

I have heard Ms Chapman make the point, which I would endorse time and again, that prison is not and cannot be the end of the line. People cannot go to prison and be out of sight, out of mind. The work that is done in our prisons is imperative not just in keeping people safe, but in their rehabilitation and, ultimately, the wellbeing of our society.

Suicide prevention technology should not and cannot replace human contact. It will have to be tested in a prison environment, but it does have the potential to give more dignity and protection to people who are at risk. If staff have to check on someone every 15 or 30 minutes, we can imagine how that disrupts the person's sleep. If we can use technology that is, perhaps, radar-based, so that we can monitor people's respirations and movements, as well as the blind spots in the cell, that will be a more dignified approach and in keeping with trauma-informed care.

Willie Rennie (North East Fife) (LD): The decisions that we take in this Parliament matter, and that could hardly be more striking than it is today. It is very emotive to see the families here today—I am sure that we all feel for them.

I have been frustrated and, frankly, annoyed that, for years, fatal accident inquiries have taken so long to begin. First, will the cabinet secretary consider removing the responsibility for fatal accident inquiries from the Crown Office and Procurator Fiscal Service and ring fence the responsibility in a separate organisation?

Secondly, can the cabinet secretary explain why it took almost three years for the prison suicide prevention strategy not to be renewed? It has taken all that time, when it was essential for it be renewed.

Angela Constance: I have often heard Mr Rennie articulate his annoyance and frustration. I

hope that we all share a sense of anger and that, going forward, we can hang on to it.

The question whether the responsibility for fatal accident inquiries should be removed from the Crown Office has not been at the forefront of my mind; my focus is on what I can do in the short and medium term, in the remaining time in this parliamentary session, to deliver for families. I am very focused on deaths in custody and fatal accident inquiries in relation to deaths in custody and on seeing those timespans become much shorter.

I know that there has been an increase in the resource invested in the Crown Office—with good reason, because of the demand on its role in independently investigating deaths. The Crown Office is dealing with 14,000 to 15,000 cases per annum; it regularly publishes performance statistics in and around that, and there is an improving trajectory. Where we all share a sense of frustration is around mandatory fatal accident inquiries that relate to people in custody who die while in our care.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): I extend my deepest condolences to the families of Katie Allan and William Lindsay.

I welcome the cabinet secretary's recognition that the fatal accident inquiry process between the deaths and the first notice was far too long, which added to the trauma of the families, and that there must be consideration of how that can be improved. Will the review include the issue of sharing information with families to ensure that that process improves, too?

Angela Constance: Audrey Nicoll's question follows on from Willie Rennie's. Notwithstanding the work undertaken by the Crown Office in more recent times—for example, to improve its existing family liaison charter—I know that the Lord Advocate shares my views on how we are all delivering or not delivering for families. The fatal accident review that I am commissioning will, as one of its key themes, consider the sharing of information, which the member rightly highlights as an issue.

Another aspect of information sharing is the information that must come to the Crown Office from other agencies. We need to be able to ensure that investigations and initial inquiries are robust, but I am conscious that all of that is pinned on good and timely sharing of accurate and full information.

With regard to families, we will bring forward proposals that consider support outside the fatal accident inquiry process, particularly through family advocacy.

Sharon Dowey (South Scotland) (Con): Fatal accident inquiries have been mandatory for all deaths in custody since 2016, yet Scotland still has one of the highest rates in Europe of suicide in prison. Would the cabinet secretary consider making it mandatory to implement all fatal accident inquiry recommendations so that lessons are learned and we can avoid making the same mistakes again and again?

Angela Constance: Sharon Dowey is quite correct to say that, compared with our European friends and neighbours, Scotland has one of the highest rates of suicide in prison. It is quite stark—the rate is higher than south of the border and elsewhere in western Europe.

I have given some thought to the question whether to make the implementation of fatal accident inquiries mandatory. However, I have noted much of the good research carried out by the University of Glasgow and, indeed, Mrs Allan on the variability of fatal accident inquiries in terms of what the research describes as their quality and quantity. If they were made mandatory, there might be the issue of getting somewhat contradictory recommendations. I hope that what I have outlined today with regard to the oversight from HMIPS and, crucially, the oversight of the national mechanism, and the six actions that I have commissioned today, many of which are in direct response to Sheriff Collins's recommendations, gives the strongest indication of my intent on the matter and how we will see things through.

Rona Mackay (Strathkelvin and Bearsden) (SNP): At the age of 16, William Lindsay should have been in secure accommodation, not prison, but there were not enough spaces. Although I welcome the fact that no under-18s are now in prison, can the cabinet secretary assure me that there are enough secure accommodation spaces to accommodate the people who need to be housed there?

Angela Constance: Members will be aware that, as a result of the Children (Care and Justice) (Scotland) Act 2024, as of 28 August 2025, no under-18s will be detained in a young offenders institution; instead, they will be held in a suitable setting such as secure care.

Secure accommodation capacity can be tight and capacity can change on a daily basis but, as of 9 o'clock this morning, there were six places available. I also confirm that I expect on-going work to further alleviate those pressures shortly. I assure the member that we pay very close attention to the number of available spaces on a daily basis.

Paul O'Kane (West Scotland) (Lab): My thoughts today are with the families whose lives

can never be the same. Katie Allan grew up in East Renfrewshire, as I did, and we have all heard that she did so in a family, a school and a community where she was loved and had the fullness of her life and potential ahead of her.

The findings should make us ashamed that Katie, William and so many others were failed. The cabinet secretary knows that Katie's family has fought for a long time for investment in safer cells, and particularly the removal of ligatures. She knows of the backward steps that they have experienced and of their battle to access information.

However, I note the clear recommendations that have been made on that issue and the cabinet secretary's agreement in principle with them in her statement. Can she outline clearly a process for the SPS to deal with ligature risks across the estate and a timeline for doing so? What capital investment will support that work?

Angela Constance: The total investment in the Scottish Prison Service for the new financial year will be in excess of £881 million, in both resource and capital. I am, of course, realistic and am aware that additional actions always have a cost, in terms of both resources and people.

I expect some of the actions that I outlined in my statement to happen either immediately or urgently. I have given a commitment to come back to Parliament in March, when there will be further detail on the timelines. I am acutely conscious that it is all very well to commit to action and implement recommendations, but that has to go hand in hand with a full and detailed implementation plan. That is what I will be invested in going forward.

Fulton MacGregor (Coatbridge and Chryston) (SNP): I, too, pass my condolences to the families.

I appreciate that the cabinet secretary has referred to the issue of Crown immunity a couple of times already, but I wonder whether she believes that the change in Government at Westminster allows for an opportunity to pursue that issue with renewed urgency.

Angela Constance: I very much hope that the change in Government will allow for more fruitful discussions on the matter. I have already laid out, in answers to others, that I will pursue the matter in good faith.

The previous UK Government did not reply to earlier correspondence from the previous First Minister. I think that there is a wider interest right now in misconduct in public office, and various other inquiries have led us to that position. I reiterate that public trust and confidence in public services help to bind our society and our communities together.

I will add one thing that I said to the family. I want to be clear to the families and to Parliament that I will not call for action in another place that is the responsibility of others at the expense of the action that I can take. I will pursue the issues on Crown immunity, but I make it clear that that action will not be at the expense of the action that is in my gift.

Roz McCall (Mid Scotland and Fife) (Con): I echo the condolences to families who have waited too long for answers. The Children (Care and Justice) (Scotland) Act 2024 means that most people under the age of 18 will now be housed in secure accommodation, which has capacity issues, as was highlighted in the statement to Parliament a couple of weeks ago by the Minister for Children, Young People and The Promise. Will the cabinet secretary assure me that all the lessons will be applied, where appropriate, across secure settings where young people are in our care? Will she shed any light on where any young offenders will be placed in the event of full capacity?

Angela Constance: Let me be clear to Ms McCall that we closed the legal route—the legal loophole—that allowed our children to be placed in prison in order to ensure that it just cannot happen. Under no circumstances do our children belong in prison. Therefore, the system has to get with it—it has to get with the legislation. The Government and others just have to get with it, put our shoulders to the wheel and make sure that there is enough capacity.

There are issues that we need to discuss with the UK Government. One of the issues that I am aware of from Ms Don's statement and the passage of the legislation is the placement of children hundreds of miles away from their home when they should be placed nearer their homes in England. I am not saying that we are not or have not been guilty of doing that, but there are important issues that all the home nations need to take on board.

At the end of the day, those children are our children. They need to be nearer to their communities in a way that is safe for them and the community when a placement is necessitated, but they should not be passed from pillar to post. It was a decisive moment when the Parliament said that. I regret to say that it was not unanimous, but it was a decisive moment when we said that we are not having our children—under-18s—in our prison system.

Clare Haughey (Rutherglen) (SNP): I welcome the cabinet secretary's comments on shifting the balance to justice in the community and her point that that is not soft justice. Does she agree that we need to ensure that penal reform is not a political football? Does she also agree that we need

grown-up and sensible debate and discussion to find the solutions to reduce our prison population and to have safe alternatives to custody in the community that sheriffs can use?

Angela Constance: I am absolutely determined to do everything that I can to boost the confidence that the people of Scotland and, indeed, the judiciary have in the potential of community justice. I have increased investment in community justice—between the current and the next financial year, there will be additional investment of £25 million—but we have to have the courage to follow the evidence, which tells us that, in many circumstances, robust community disposals will provide far better outcomes not only for the individual concerned, in mending their ways and paying back to the community, but for the community and keeping families and children together. We need to own that.

If I convey only one thing today, it is that our accountability has to lead to action and change. As a country, we need to turn up the dial in the shift from our use of custody to the use of community justice. I very much hope to come back to Parliament in February with a Government-led debate on the next steps around our sentencing and penal reform work.

Martin Whitfield (South Scotland) (Lab): The powerful report on these tragic events is speaking truth to power. I welcome the statement, and also the tone and approach that the cabinet secretary has taken. The deaths of those young people should not have happened. I invite the cabinet secretary to reaffirm her and the Scottish Government's absolute commitment to implementing the proposals that were set out in the statement, irrespective of unseen events and as swiftly as possible.

Angela Constance: The 419 pages of the fatal accident inquiry determinations certainly are, to use the old Quaker phrase, speaking truth to power.

In short, my message to the families and to people across Scotland is that accountability starts with me. I have the same expectations of myself, my officials and my colleagues in Government as I do of those in senior leadership roles and on the front line. Accountability starts with acceptance, but it cannot end there. The report is damning about systemic failings, and they will require systemic improvement.

I am conscious that the families have had enough of condolences, regret and politicians like me greetin and wringing our hands. We need to put our shoulders to the wheel, collectively, and ensure that, as others have said, today is the turning point.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): None of us here can adequately understand the grief that the families are shouldering, but all of us must understand that it could happen to us and our families at any time. I recognise that it can take time for legislation to be developed, consulted on and dealt with in the Parliament but, given the urgency and the immediate needs of families who are faced with circumstances and tragedies such as those that we heard about from Pauline McNeill, can the cabinet secretary provide a timescale for introducing legislation on swift and universal legal aid for families for fatal accident inquiries?

Angela Constance: I am absolutely committed to making changes in the legal aid system to ensure that legal aid is free and non-means-tested in relation to deaths in custody. The member and others have highlighted that it can take time to introduce and pass primary legislation in the Parliament—that is not all within my gift, but I am committed to introducing such legislation as soon as possible.

In the meantime, I am urgently considering whether there are ways to deliver the changes in the shorter term while we are developing the primary legislation. I want to leave no stone unturned and to check whether there are other opportunities to deliver on our aspirations more quickly. When the Criminal Justice Committee and I can get through the legislation that is currently on our books, I would certainly be up for doing a bill in year 5 of the session. However, I am conscious that I am probably stepping beyond my scope there, and I may be entering the territory of the Minister for Parliamentary Business and other parliamentary authorities.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): A number of concerns have been raised about the procedures in the Scottish Prison Service. Unannounced inspections are practically non-existent. The inspections that do take place are announced in advance and only happen every several years. Will the cabinet secretary work with HMIPS to ensure that more unannounced inspections take place?

Angela Constance: I give a commitment to members that I will discuss that with the new chief inspector when she comes into post. I am due to meet her very soon. Sara Snell has significant experience in the prison system elsewhere on these islands. In addition, she has been working on an international level with the Red Cross for the past several years, looking at the changing nature of detention. She comes well briefed on the challenges and on how Scotland compares with other countries. That issue will be one of the many that I will discuss with her.

The Presiding Officer: That concludes the ministerial statement. I will allow a moment or two for members on the front benches to organise before the next item of business.

National Care Service

The Deputy Presiding Officer (Annabelle Ewing): We move to the next item of business.

Craig Hoy has a point of order.

Craig Hoy (South Scotland) (Con): On a point of order, Presiding Officer. Not for the first time, details of a statement that is to be made in the Parliament have been leaked to the Scottish press. For years, we have been saying that the Scottish National Party's ill-conceived plan for a national care service should be scrapped. Today, thanks to the *Daily Record*, we found out that that is the Government's intention. That shows complete and utter contempt, not just for the Presiding Officer and the Parliament but for the many stakeholders who have invested a huge amount of time, energy and money in working with the Government on the botched plan.

I seek your guidance, Deputy Presiding Officer. Have you had any discussions with the Government about the latest breach of protocol? Are you aware of how the information may have come to be in the public domain, and what will you and the Parliament do to prevent such egregious breaches of the rules and disrespect of the Parliament and its members?

The Deputy Presiding Officer: I thank Mr Hoy for his point of order. I am not cognisant of the full detail of the newspaper article to which he refers. I would not expect to see any detail being made available to others before the Parliament is made aware of it. That is the expectation to which we all work. Therefore, I will look into the matter to which the member has referred.

We will now proceed with a statement by Maree Todd on the future of the national care service. The minister will take questions at the end of her statement, so there should be no interventions or interruptions.

15:07

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): I will start with a quote from Sara Redmond, chief officer of the Health and Social Care Alliance Scotland, from November last year. She said that

"people with lived experience have invested huge amounts of time, energy and emotion in trying to make the NCS work. We cannot afford to let that effort go to waste by leaving social care in its current state."

Her view has been on my mind since I announced a pause to stage 2 of the National Care Service (Scotland) Bill last year. I have reflected on the evidence that has been taken by the Health, Social Care and Sport Committee, and views from stakeholders, people with lived experience,

members of the public and political parties. I am grateful to everyone whom I have spoken to, particularly those with lived experience, for their continued commitment. Throughout my conversations with people, the case for reform has remained clear. Despite the best efforts of many, our social care system is not delivering the care and support that people require to live and thrive. There is an overwhelming need for change now. I also note that in England and Wales, similar discussions are under way and that there is rising momentum for national approaches.

We have spent three years developing plans, and significant commitment and resources from a wide range of people have brought us to this point. I will set out revised proposals for the bill and other urgent actions to deliver improvements in the social care system. We remain committed to creating a national care service, as recommended in the Feeley review and, ultimately, to improving the individual experience of everyone in Scotland who relies on social care.

Part 1 of the bill, and the draft amendments lodged in June, proposed reform of integrated social care and community health. We made considerable efforts to find a compromise and a way forward, but it is clear that those proposals are not supported by the chamber.

I have concluded that we must deliver our Scottish national care service without legislating for structural reform, securing a different means to deliver our goals. It is therefore my intention to remove part 1 from the bill at stage 2 and to proceed with parts 2 and 3 only. I realise that that will be a source of disappointment to many, particularly those with lived experience, who have been clear that greater transparency and scrutiny is necessary to drive the improvement that we all agree is needed. I want to reassure those people that I remain committed to the ambitions of the national care service. We have already made significant improvements to social care during this parliamentary session. Later in my statement, I will explain how I intend to continue that progress.

First, I want to set out what will remain in the bill. Core elements of Anne's law are already in place through strengthened health and social care standards on visiting rights in relation to care homes, but more is needed. The First Minister and I have been profoundly impacted by conversations with families on Anne's law. We are committed to enshrining Anne's law in primary legislation and to working together to ensure that the bill gets that right.

We know that sharing your story repeatedly can be frustrating and traumatic. The bill enables information sharing across health and social care services with consistent information standards. That will lay the foundation for an integrated digital

approach, making it easier for people to access and manage their own information and care. Digital approaches offer a great opportunity to improve people's experience of care and treatment. Unpaid carers make an incredible contribution to Scotland's communities and to our health and social care system. Through the bill, we will introduce a right to breaks for unpaid carers. That builds on the £88 million that we invest, through local government, in support under the Carers (Scotland) Act 2016 and the £8 million a year that is already provided for voluntary sector short breaks, as well as the roll-out of the carer support payment across Scotland.

Across the chamber, as well as across the sector itself, there is agreement that change is needed to support the vital role of social workers. We are committed to driving forward those improvements in partnership to bring sustainable reform that future proofs the social work service in Scotland for generations to come. From the Feeley review, engagement with thousands of people with lived experience and a wide range of stakeholders, and the recommendations of this Parliament following its post-legislative scrutiny of the Social Care (Self-directed Support) (Scotland) Act 2013, it remains clear that enhanced national support and oversight are necessary.

Therefore, I will move quickly to establish a national care service advisory board on a non-statutory basis. It is my intention that the advisory board will include people with lived experience of accessing care services, unpaid carers, those who work in the sector, care providers, the third sector, trade unions, the national health service and local government. I expect the board to meet for the first time in March this year. I want the chair of the board to be independent—ideally someone with lived experience of accessing care or of caring themselves or someone who represents those with lived experience and who can hold the Scottish Government and all our partners to account for the improvement that is needed.

Where it is indicated that agreed standards are not being met, progressive and targeted support will be offered to those areas to help them to improve. I will ask the board for advice on the best way to do that. The current system for integrated health and social care is not delivering for people. There is no shared understanding of what good looks like and no systematic approach to tackling problems in local areas quickly when problems first emerge. That results in performance issues in some local areas reaching crisis point.

We will review our health and social care standards, agree local monitoring and reporting frameworks and improve access to information. That will enable a systematic approach to providing progressive and targeted support for

local areas, where necessary using our powers of direction and guidance when standards are not being met.

The advisory board will have a wide remit. It will provide advice on national programmes that are intended to support improvement. Those include the existing implementation of the carers and dementia strategies, work to embed a person-led approach through getting it right for everyone—GIRFE—and our work to reduce the number of people in delayed discharge in the drugs mission.

We will explore with partners how we can plan and deliver more effectively for people with high levels of need across current organisational and geographical boundaries. We will empower people to understand their rights by publishing our co-designed charter of rights. We will develop national standards and guidance for commissioning and procurement to deliver on our commitment to ethical commissioning. We will continue to overhaul eligibility criteria in social care, and I will consider how we will achieve our ambition to remove non-residential charging.

It is essential that we continue to support our workforce. We are delivering on our commitments to fund the real living wage for adult and social care workers. We have a clear focus on national and local workforce planning and high-quality learning, development and leadership support for social care staff. We will build a well-deserved sense of professionalism in the sector and improve parity with the NHS workforce.

At local level, integration joint boards will continue to plan and oversee social care and community health. I will consider what changes can be made to secondary legislation, guidance and the approval of integration schemes to ensure that the voice of lived experience is heard and to increase accountability and financial transparency. I will also support Highland partners, who have decided to end their unique model of integration to align with the rest of Scotland's IJB model.

I welcomed the news on the United Kingdom Government's plans for an independent commission on social care, which was announced a few weeks ago. There are significant issues in relation to employment, the relationship with taxation, immigration and pensions that can be resolved only through powers that are held by the UK Government. Those include the impact that increasing employer national insurance contributions will have on the social care sector in Scotland. We are already engaging with UK ministers, and I will continue to urge the UK Government to reconsider.

I note the comments made by the UK Government's social care minister, Stephen Kinnock, on previous UK Government attempts to

reform adult social care failing due to a destructive combination of party-political point scoring and short-term thinking. I want us in Scotland to move forward collaboratively, focusing on the importance of social care reform and the vital purpose of a national care service to improve people's lives.

Throughout the bill process, I have said that my door is always open to discussion. That is the case today. We are all agreed that social care outcomes must improve, and I urge members from across the chamber to engage constructively with us as we move forward. Together, we can bring about the sustainable change to social care that people urgently need.

The Deputy Presiding Officer: The minister will take questions on the issues raised in her statement. I intend to allow around 20 minutes for questions, after which we will move to the next item of business. I invite those members who wish to ask a question to press their request-to-speak button.

Sandesh Gulhane (Glasgow) (Con): I declare an interest: I am a practising NHS general practitioner.

The national care service was the Scottish National Party's flagship healthcare policy, as promised at the 2021 election, to fix the care crisis. However, four years later, almost £30 million has been wasted, which could have paid for the salaries of 1,200 social care workers.

From day 1, the Scottish Conservatives were against the bill and repeatedly called for investment in front-line care. The SNP has failed to listen, just as it has failed to listen to experts, trade unions and councils, which agree that the bill is fatally flawed. However, the SNP stubbornly ploughed on, throwing good money after bad.

Following today's hapless and tone-deaf statement by Maree Todd, which has shown the NCS proposal collapsing after a humiliating display of arrogance, failure and sheer waste, the SNP Government could not be trusted to run a bath, let alone be trusted with our health and social care service. We have a shower of charlatans before us, who have failed people who need social care, failed social care workers and failed Scotland. Today's statement amounts to the failure of a flagship policy. Party has been put before people. In any other organisation across Scotland, such failure would lead to sackings and resignations.

The Deputy Presiding Officer: Dr Gulhane, I need a question from you, please.

Sandesh Gulhane: In any other organisation across Scotland, such failure—

The Deputy Presiding Officer: Dr Gulhane, could you please just ask your question?

Sandesh Gulhane: —would lead to sackings and resignations.

The Deputy Presiding Officer: Dr Gulhane, please resume your seat.

Sandesh Gulhane: Will Neil Gray and Maree Todd do the right thing and accept responsibility for their monumental failure and resign? *[Interruption.]*

The Deputy Presiding Officer: Excuse me. I say to members that we need to get through this item of business, and that we need to get in as many members as possible to ask questions. If I have to keep interrupting to keep order, fewer members will get to ask their question, and I do not think that that is what members want.

Maree Todd: I thank the member for his question—I think.

We have listened carefully to what people have told us. We have listened carefully to the voices of lived experience. We have listened carefully to the recommendations of the Feeley review. We have listened carefully to our institutional stakeholders and the members of the different political parties in the chamber. Everyone agrees that change is needed in social care. No one is accepting of the status quo. I have listened extremely carefully, and I am trying—very carefully—to navigate a way forward.

We all agree that there are problems in social care. What we do not agree on is a way forward. Dr Gulhane is absolutely correct. The Tories have been opposed to our proposed legislation from its very conception, yet they have not come forward with a single alternative idea on how to improve social care. *[Interruption.]*

The Deputy Presiding Officer: Excuse me. Please resume your seat, minister. When one person has the floor, no other member has the floor. *[Interruption.]* Dr Gulhane, please do not take on the authority of the chair.

Please resume, minister.

Maree Todd: Today, I have set out a plan that I believe that all of us can get behind. We will remove part 1 of the bill, which is the most contentious part of the bill, and we will continue with parts 2 and 3, which contain work that we cannot proceed with without primary legislation, and which are parts of the bill that the majority of members of this Parliament are on the record as supporting. I will continue to work until I have delivered the change that people who access social care want to see.

Jackie Baillie (Dumbarton) (Lab): We are three years on and three cabinet secretaries and

two ministers later. Almost 200 civil servants have been involved, £2 million has been spent on private consultants and it has cost nearly £30 million of taxpayers' money—just on this bill. Although I welcome the remaining provisions, the national care service is no more. Not a single penny of the £30 million has been spent on care packages. That money would have delivered a million extra hours of care and would have stopped care packages being cut and care homes being closed, yet the minister knows that the bill will do little to improve social care.

What a waste of time and money. The centrepiece of the SNP's legislative programme has been sidelined—a bit like the health secretary. In 2021, Humza Yousaf said:

“The creation of a national care service will be the most significant public sector reform since the creation of the NHS in 1948, and the service will be operational within the five-year lifetime of this Parliament.”—*[Official Report, 1 June 2021; c 29.]*

Well, that has aged well. There is no national care service, and little difference has been made for those who receive social care. It has been yet another failure.

The Deputy Presiding Officer: I need a question, Ms Baillie.

Jackie Baillie: Is it not time for Neil Gray to follow Humza Yousaf's lead and resign?

The Cabinet Secretary for Finance and Local Government (Shona Robison): Is that it?

The Deputy Presiding Officer: Excuse me. Cabinet secretary, please don't.

Maree Todd: I will pick up on a number of issues in Jackie Baillie's question.

The Government committed to a 25 per cent increase in funding for social care during this session of Parliament and we have delivered on that two years early.

For context, the £30 million that we spent developing the national care service was £30 million over three years in a system that we collectively spend £5 billion on every year. Jackie Baillie might think that that is unreasonable, but I do not think that it is unreasonable to spend 0.2 per cent of the annual budget to achieve change in a system that we all agree is not currently working. The time and money that we have spent will help us to lay a strong foundation for the future of social care and, as always, we are guided by the outputs of the co-design work that we have done in the past three years.

We have seen progress. We have enhanced scrutiny and assurance in local areas and have made progress in reducing delayed discharge, with a focus on supporting the local areas

experiencing the most challenges. We set up a collaborative response and assurance group to give us a far better understanding of the issues that are being faced, including the national and local challenges, and that has led to a whole system of national and local interventions.

The Scottish Government, the Convention of Scottish Local Authorities and Public Health Scotland have established a rapid peer review and support team to provide direct support to a small number of local systems to help them to reduce delayed discharge.

The 2024-25 budget provided a £2 billion investment for social care and integration, which means that funding for social care has increased by more than £1 billion since 2021-22.

I will go on. We have invested to ensure that social care workers are paid at least the real living wage. *[Interruption.]* It is interesting that people do not want to hear that. Social care workers in Scotland are paid at least the real living wage, which is why the minimum wage paid for adult social care staff—

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

First, again, I remind members to listen to the member who has the floor. Secondly, minister, we have only limited time for questions. I would appreciate succinct questions, with answers to match.

Maree Todd: I will finish on this point, although I could point to many more improvements. Adult social care workers in Scotland are paid around £1,000 more than their English counterparts because of the investment that this Government has made to ensure that social care workers are paid at least the real living wage.

Kevin Stewart (Aberdeen Central) (SNP): We are here to represent people, and the people who rely on care services and carers—the voices of lived experience—wanted to see structural change, so I am disappointed that that element is being removed from the bill.

The minister said that she will establish an NCS advisory board with an independent chair, ideally one with lived experience. I believe that it is essential for that chair to have lived experience, so can the minister assure me that the chair will be someone who has lived experience and who can hold to account those who have vested interests and who are against change?

Maree Todd: I absolutely agree with the member that it is really important for the chair to be independent of local and central Government and of the strong institutional voices that we hear most loudly in this debate.

I personally believe that the chair should be someone who either has or represents lived experience because I think that they would be more able to hold everyone in the system, including Government, to account. It would also be a clear statement of our intent to take steps towards the human rights-based approach that we all want to see within social care if we absolutely enshrine the voice of lived experience at the heart of the advisory board.

The Deputy Presiding Officer: I say again that we need succinct questions and answers to match.

Brian Whittle (South Scotland) (Con): Time and again, the Scottish Government ignored the social care sector when it said that the national care service plan was fatally flawed. That arrogance comes with a human cost—the rising waits for hospital admissions and discharges, the countless numbers of vulnerable people who are waiting in desperate need of a package and, all the while, care homes across the country being forced to close their doors. Given the disdain with which the Scottish Government has treated the sector, how can the sector trust that the Scottish Government will ever listen to its expert opinions again?

Maree Todd: I work really closely with the sector in all its glory and diversity, and it is clear that there are differences of opinion. We all agree that change is needed, and we can all agree on the problems that our social care system faces. The challenge has been in agreeing on what the solutions are. As I said, I believe that I have set out today a path towards improvement that everyone can agree on. The onus is on all of us to make it work. That is what the public want, it is what the people whose lives depend on social care want and it is what their families want. Let us get on and do it.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Will the minister outline how the Scottish Government is working with stakeholder partners to design and implement improvements to social care support as quickly and effectively as possible? Will she again outline the timescales that can be anticipated for the resumption of the NCS bill's progress through this Parliament?

Maree Todd: We have an on-going programme of policy-level stakeholder engagement and opportunities for stakeholder partners to engage directly in co-design activities. We have 286 stakeholder organisations on our stakeholder register, all of which receive a monthly update on co-design activities that are being undertaken and opportunities to engage. We will continue to work closely with stakeholder partners to shape the future of social care support and improvement in line with priorities that are identified by the

advisory board, once it has been established. On the anticipated timescales, we hope to resume the bill process in Parliament soon, subject to Parliament's agreement on timescales.

Paul Sweeney (Glasgow) (Lab): In November, the minister told the Health, Social Care and Sport Committee that trade union calls for sectoral bargaining were not covered by the National Care Service (Scotland) Bill and that the matter would need to be covered in a separate piece of legislation. Given that there was scant detail on fair work in the minister's statement today, I presume that that is still the Government's view. Does the minister not agree that collective bargaining arrangements for social care staff must be included in the bill, given that the changes that she has set out today can be implemented only with the support and confidence of those key workers?

Maree Todd: I will probably need to get into detailed discussion with the member on that issue, but I cautiously suggest that, if the bill included collective bargaining, it would not be within this Parliament's legislative competence. I am working very closely with the UK Government on its Employment Rights Bill, which will, I think, deliver us a legislative underpinning for collective bargaining. In Scotland, we are many years ahead of our UK counterparts in developing a system of sectoral bargaining that will work. Given the complexity of the system, with more than 1,000 employers, it is very challenging to deliver that, but we are very close to delivering it. I will continue my engagement with the unions, and I am very confident that we will make progress on that front, but we will probably do so hand in hand with the UK Parliament.

Stuart McMillan (Greenock and Inverclyde) (SNP): It is important that the Scottish Government continues to unequivocally support social care users and the services that are in place. I note the minister's comments about the 25 per cent increase in investment so far this session. Will she outline how the Scottish Government will continue to adequately invest in high-quality services and staff in our social care sector, particularly in the Scottish budget for 2025-26?

Maree Todd: Our proposed budget for 2025-26 provides record funding of £21.7 billion for health and social care, with an uplift that exceeds consequentials and takes funding to an all-time high. Resource funding for health and social care has more than doubled since 2006-07, increasing by more than 41 per cent in real terms. Our £2.2 billion investment in health and social care integration delivers on our programme for government commitment, as the member has said, two years ahead of the original target. We have provided an additional £125 million to

support delivery of the pay uplift to a minimum of £12.60 an hour for adult social care workers, as well as £5.9 million of investment in the Care Inspectorate and £13.4 million in the independent living fund.

This year's budget also underlines our continued commitment to support Scotland's unpaid carers. It includes an increase in funding for voluntary sector short breaks to £13 million. We have delivered record funding of £15 billion for local government this year, with the freedom to set council tax that local government requested. Parliament now needs to work together to pass the budget, to enable us to get on with delivering the services that the people of Scotland expect and deserve.

The Deputy Presiding Officer: I remind members that we are pressed for time. I need succinct questions and answers to match.

Gillian Mackay (Central Scotland) (Green): I hope that the announcement by the Government will allow us to make small but positive changes to social care, even if we know that much more needs to be done. The minister rightly highlighted how traumatic it can be for people to repeat their stories. Will she outline how the work of lived experience groups will be retained, how it will contribute to the on-going reform of social care and whether the right to information and advocacy that was originally contained in part 1 of the bill will be put elsewhere?

Maree Todd: I recognise that the voice of those with lived experience is vital. Gillian Mackay and all Green Party members are committed to listening to those with lived experience. The various stakeholder groups that I interact with are extremely important in helping me to find a way forward in a complex and contested area.

I am happy to speak with Gillian Mackay about independent advocacy as the bill progresses. She is correct in saying that the changes that we are making to the bill will change where that links into it.

Alex Cole-Hamilton (Edinburgh Western) (LD): Care in our country is broken, but Scottish National Party ministers have spent four years and £30 million on the wrong solutions. That is enough to pay the salaries of 1,200 care workers for an entire year. What a waste. Every year wasted is a year that the minister could have been getting on with fixing our broken care system. Will she apologise to everyone who is stuck in hospital because community care is not available to receive them home, to the care workers who cannot offer the care and support that they signed up for and want to offer because there simply is not enough time, and to the legions of unpaid

family carers who do not have the wraparound support that they need?

Maree Todd: Thousands of people who use social care and community health services across Scotland have told us that things need to change. The independent review of adult social care, which was carried out by Professor Derek Feeley, recommended that we establish a national care service that is underpinned by a human rights-based approach and gives a voice to people with lived experience at every level.

A national care service is not opposed by those with lived experience; it is the opposite. They pressed the Scottish Government to push forward. I hope that the pause and further clarity on what we are trying to achieve through primary legislation will enable those parties that have been opposed to change from the conception to come round the table and contribute to shaping the change that we need in Scotland.

Jackie Dunbar (Aberdeen Donside) (SNP): Ultimately, at the heart of this discussion are social care users across the country who require our support and reassurance while the NCS bill is paused. Can the minister outline how the Scottish Government will engage with service users and carers directly on the next steps of the process?

Maree Todd: We recognise the value of engaging with people with lived experience of receiving and delivering social care. That has been at the heart of our approach to date, and it will continue to be. Today, a letter will be issued to all our stakeholders. I have arranged to speak with several groups of users, carers and stakeholders during the next couple of weeks. It is absolutely vital that we continue to engage with and listen to people throughout the next phase of the national care service. I will also hold smaller, more focused group discussions with disabled people's organisations, the workforce, social care and carers organisations and other stakeholders. Alongside those discussions, we have a number of co-design engagements planned. All of that will be made clear in the letters to stakeholders.

Annie Wells (Glasgow) (Con): From day 1, the Scottish Government was warned that the bill would not work, and it did not listen to anyone. Four years on, nothing has changed. Will the minister take the opportunity to apologise to all those she has let down?

Maree Todd: It is somewhat incorrect to state that, four years on, nothing has changed. In fact, the bill was introduced, it was changed extensively and then we paused. It was then changed extensively again, and again now. I have listened to stakeholders who have raised concerns and I am changing direction again. As I have said multiple times, I hope that the whole of Parliament

can get behind what I have put forward today. I look forward to working with all members to deliver the improvements that the people of Scotland need.

Clare Haughey (Rutherglen) (SNP): The Health, Social Care and Sport Committee has heard from numerous third sector organisations, stakeholders and, importantly, people who access care services about the need for radical reform of the care system. Can the minister advise how the amendments that she is proposing to the bill will ensure that their concerns are addressed?

Maree Todd: The changes that I am outlining today will improve the lives of people who have been calling for reform for far too long. Putting Anne's law into primary legislation gives it the status and protection that it deserves and that the families of care home residents have been calling for for so long. We have listened to those who have told us that sharing their story repeatedly can be frustrating and traumatic. That is why the bill improves information-sharing standards. It also includes a right to short breaks for unpaid carers, ensuring that we are not only providing support for carers but that their rights are protected by law. We have heard, loud and clear, that people want improvements in the management of the complaints system, as well as governance at a national level, and the outputs of that work have had a direct impact on the plans that I have outlined for the advisory board.

It remains clear from the Feeley review and from engagement with thousands of people with lived experience as well as a wide range of stakeholders that enhanced national support and oversight of the way that care is delivered in Scotland is vital. That is why the advisory board will play a vital part in ensuring that people across the country get the quality of service that they deserve, driven by the real experts—the voice of lived experience.

Business Motion

15:43

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-16187, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, on a stage 3 timetable for the Welfare of Dogs (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Welfare of Dogs (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 3: 1 hour 5 minutes

Groups 4 to 6: 1 hour 40 minutes.—[*Jamie Hepburn*]

Motion agreed to.

Welfare of Dogs (Scotland) Bill: Stage 3

15:43

The Presiding Officer (Alison Johnstone):

The next item of business is stage 3 of the Welfare of Dogs (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—Scottish Parliament bill 32A—the marshalled list and the groupings of amendments.

The division bell will sound and proceedings will be suspended for around five minutes before the first division of stage 3. The period of voting for the first division will be 45 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate.

Members who wish to speak in the debate on a group of amendments should press their request-to-speak buttons or enter RTS in the chat as soon as possible after I have called the first amendment in the group. Members should now refer to the marshalled list of amendments.

Section 1—Ministers to make code of practice

The Presiding Officer: Group 1 is on the content of code relating to all dogs. Amendment 12, in the name of Ross Greer, is grouped with amendments 13, 14, 5, 6 and 16 to 19.

15:45

Ross Greer (West Scotland) (Green): I thank Christine Grahame for taking the bill this far through the process. The focus of my efforts at stage 3 is on banning electric shock collars for dogs. I will cover the broader amendments in the group first, then come to that.

Amendment 16 would include a broad point in the code of practice about ensuring the welfare of a dog when training it. The amendment is not related to the ban on shock collars or on any other specific device, but would simply add a line to the voluntary code of practice for potential dog owners on how they train their dog.

Amendments 12 and 17 are about specific devices—prong and choke collars—but they do not represent a ban. Like amendment 16, they would add to the voluntary code. Those provisions would therefore be separate from the ban on shock collars, which is in amendments 13, 14, 18 and 20, as well as in the tidying-up amendment 21.

The reason for the separation is that I recognise that we are at different stages in the evidence

gathering. The Scottish Animal Welfare Commission's report on shock collars was completed two years ago: it was a thorough exercise. Evidence was gathered from experts and trainers, from people who use shock collars and people who oppose them. The report came to the clear conclusion that shock collars should be banned in Scotland.

The commission's report on other aversive training techniques, including prong and choke collars, is due this April. I am not attempting to pre-empt that with a ban, but my amendments would allow ministers to move prong and choke collars into the same space of strict criminal liability that I intend for shock collars, if that is what the Scottish Animal Welfare Commission recommends in the spring. At the moment, my amendments would, essentially, add guidance against their use, rather than a ban. I am keen to hear the minister's thoughts on those devices.

Amendment 22 would give ministers the power to move other provisions of the code from "may" to "must", which would mean that they could create criminal liability to implement any recommendations that might come at a later point—for example, from the report that will be published in April.

Regarding the shock collar proposals, shock collars work by giving electric shocks to animals such as cats and dogs, via metal conductors. They make contact at the neck, with up to 6,000 volts being emitted for up to 11 seconds at a time. Depending on the voltage, they can cause discomfort up to significant physical pain, and potentially leave burns on the dog's skin. At the very least, they need to cause fear and distress—that is the whole point of a shock collar. They have a range of up to 2 miles, which means that animals can be completely out of the owner's sight when they are shocked. The devices are, in short, cruel.

In 2018, the Scottish Government published guidance on dog training aids that said:

"With respect to training devices, the Scottish Government does not condone aversive devices/training aids, including electronic shock collars (e-collars)"

That guidance was good progress, but it was not a ban.

The Scottish Government, quite rightly, moved to have the Scottish Animal Welfare Commission gather evidence on that question. In April 2023, the commission concluded that exercise. I will read the final paragraph in its conclusion. It said that

"on the basis of the evidence considered during the course of our inquiry and in accordance with our remit to provide advice to Scottish Ministers on matters concerning the

welfare of protected animals, that the use of e-collars for the training of animals in Scotland should be prohibited".

That was the finding of an expert review that was commissioned by ministers and was published two years ago. However, the Government has not yet responded to it.

For years, there has been significant cross-party effort to achieve a ban on shock collars. I credit Maurice Golden with having led much of that effort, including, two years ago, lodging a motion that was signed by dozens of members from across the parties. I will read the first half of the motion, which provides an excellent summary of why we are here. It said:

"That the Parliament understands that a range of experts, including academics, dog behaviourists, trainers, and vets, consider that the use of handheld electric shock dog collar devices is unnecessary; believes that there is a lack of scientific evidence to support claims that the use of such dog collars reduces the risks of livestock worrying by responsible owners;"

Every major animal welfare organisation wants shock collars to be banned. The minister has received a letter in support of my amendments, on behalf of the Dogs Trust, Blue Cross, the Scottish Society for the Prevention of Cruelty to Animals, the British Veterinary Association, Edinburgh Cat and Dog Home, the Kennel Club, the Royal Society for the Prevention of Cruelty to Animals, Battersea Dogs and Cats Home, and the People's Dispensary for Sick Animals. For good measure, despite the fact that the bill concerns dogs, Cats Protection wanted it to be known that it, too, opposed the use of shock collars for dogs.

Ninety-five per cent of dog owners do not use shock collars and more than 80 per cent of the public want them banned. It is worth being clear that amendment 18 is very specific: it refers only to devices that apply an electric current to a dog's skin. I have been contacted by dog owners who use vibrating collars to recall their dogs when they are off the leash, particularly dogs with deafness, but they are not covered by the amendment, which is unambiguously about electric shock collars only—those that apply an electric current to the dog's skin.

A ban would, in effect, be achieved by the combination of amendments 18, 13 and 20, with amendments 14 and 21 being tidying-up amendments. Amendment 18 would add the provision against use of shock collars to the code of practice, which is otherwise voluntary, and amendment 13 would make it a "must" do rather than a "may" do. It would mean that ministers "must include" that provision in the code rather than it being suggested that they could. Amendment 20 would mean that use of shock collars

"must be relied on as tending to establish liability"

for an offence under the Animal Welfare Act 2006, and amendment 21 would do a bit of tidying up.

A common argument in favour of shock collars relates to prevention of livestock worrying, but NFU Scotland is absolutely clear that the most effective way to do that is to keep a dog on a lead when it is around livestock. Parliament unanimously passed Emma Harper's bill in 2021 to significantly increase penalties for livestock worrying and to clarify the law to make prosecutions easier. Most livestock worrying happens when a dog is out of its owner's line of sight. That begs the question whether we think that it is appropriate to shock a dog because it is on the other side of a hill and we think that it might be attacking a sheep.

A ban on shock collars, combined with the existing higher penalties in Scotland as a result of Emma Harper's legislation, should mean that more dogs are kept on leads around livestock in the first place. Scotland has a strong record on animal welfare, but we are lagging behind in this area. Shock collars are already banned across Europe—in Germany, France, Spain, the Netherlands, Austria, Denmark, Finland, Iceland, Norway, Sweden and Slovenia—and here in the UK, they have been banned in Wales since 2010. The Scottish Government does not support their use; it just has not banned them yet.

My amendments are not the only way to do that. Ministers already have the power to ban them by regulation through section 26 of the Animal Welfare Act 2006. Maurice Golden's motion that I quoted earlier called for that approach. I have lodged my amendments in this group because that has not happened yet. In all honesty, I am sick of waiting, and I know that animal welfare organisations and many dog owners are, too.

We do not need more reviews. The Government's experts have done their job and given absolutely clear advice that the devices should be banned. That advice is still going unanswered, but there is no need to wait. However, if the minister is able to say unequivocally, without condition, that he will bring forward regulations to ban shock collars in the 13 months that remain of this session of Parliament, there will be no need for me to press my amendments.

That should not be conditional on there being more reviews or consultation being carried out first, because regulation would require, as part of the parliamentary process, consultation once it is published. All that I am looking for is a clear statement from the Government that it intends to ban shock collars during this session of Parliament and that it will bring forward regulations to that effect.

Like the minister's expert advisers, every major animal welfare group, dozens of MSPs across all parties and four in five people across Scotland, I just want these cruel devices to be banned. If the minister cannot commit to doing that today, I will press my amendments and urge all members who want to ban electric shock collars to vote for amendments 13, 14, 18, 20 and 21 in order to achieve that end.

I move amendment 12.

Maurice Golden (North East Scotland) (Con): Amendments 5 and 6 consider the breed and, crucially, type of dog, as there is lots of confusion over breeds—for example, much has been made of the banning of the XL bully breed, but no such breed exists. I have included the word "type", so that all dogs are covered. The amendments are relatively minor.

Ross Greer's amendments make up the substantive part of the group. We should support amendment 16, as it aims to ensure that

"the acquirer is committed to training the dog in a safe and healthy manner which ensures the welfare of the dog."

That amendment could cover the points made in the subsequent amendments 17 and 18.

I agree with Ross Greer's sentiment around electric shock collars and indeed other harmful devices, but we need to consider the context.

In 2018, I brought to Parliament debate that led the Scottish Government to announce a ban on electric shock collars and commission an independent report from the Scottish Animal Welfare Commission on the impact that such collars have on dogs.

In April 2023, the commission's final report recognised that electric shock collars have the potential to cause animals pain and distress, and that maintaining the current position presents an "unacceptable risk" to dogs' welfare.

In 2020, the Scottish National Party was defeated in a parliamentary vote that was brought by the Scottish Conservatives on ensuring that the Scottish Government reviews the position and produces a report on the banning of electric shock collars before 1 April 2025. That report will be released shortly, and I hope that it will lead to a ban.

That seems to be a more effective way to implement an effective ban, but I recognise that, as a discussion point, amendments 17 and 18 are an extremely useful mechanism in the debate.

Martin Whitfield (South Scotland) (Lab): Maurice Golden talked about the opportunity for amendments 17 and 18 to create a talking point. Do they not also offer the opportunity, as Ross Greer outlined, for an undertaking from the

Government that we will see something before the end of the session?

Maurice Golden: Via legislation, we will see something by 1 April, so we will not have to wait for the end of the parliamentary session. Obviously, we are yet to hear from the minister.

Amendment 18 refers to

“any device which applies an electric current to the dog’s skin”.

I appreciate the intention for that to mean electric dog collars, but it could apply to electric fences. In my view, that could lead to a series of unintended consequences around the use of electric fences, not just for dogs but for a host of other—

Ross Greer: I am grateful to Mr Golden for his contribution and for the points that he is making, but I want to clarify a point. The final part of amendment 18 says:

“any device which applies an electric current to the dog’s skin”.

However, in full, the amendment says

“whether the acquirer is committed to preventing unnecessary suffering and ensuring the welfare of the dog (for example, by not using any device which applies an electric current to the dog’s skin)”.

Given that we are talking about a code of practice for the acquisition of a dog, I am not clear as to how Mr Golden thinks that the dog coming into contact with an electric fence—for example, when it is on a walk—would somehow result in any ambiguity. I am interested to hear why he believes that that is the case.

Maurice Golden: Some people would use an electric fence to ensure that the dog is contained, particularly in rural settings. I agree that a physical fence would be preferable in such rural surroundings, but, for some people, an electric fence is a very useful way of ensuring that the dog does not run away.

The wording of amendment 18 causes a bit of confusion. I wish that such a substantive amendment had been lodged earlier, at stage 2, so that we could have worked with not just all stakeholders but all parties in order to achieve what we all want to achieve, which is an effective ban on electric shock collars and other harmful devices.

Ariane Burgess (Highlands and Islands) (Green): Amendment 19 would require the code of practice to ask those who are acquiring a dog whether they have identified a veterinary practice for their dog’s care.

I lodged a similar amendment at stage 2, and I thank the minister and Christine Grahame for the constructive support that they showed during that discussion and, again, ahead of today’s debate.

Regular vet check-ups are a key part of responsible dog ownership, from puppyhood to old age. Vets provide advice and rapid treatment in an emergency—for example, by providing out-of-hours care—and a check-up can identify health issues that arise due to negligence by the breeder.

The issue is an important one to raise with prospective dog owners before they acquire a dog, and I am keen to see it reflected in the code of practice. If I could have the minister’s assurance today that that requirement will, indeed, be included in the code of practice, I will consider not pressing amendment 19 to a vote.

I fully support Ross Greer’s amendments.

16:00

Colin Smyth (South Scotland) (Lab): I will comment primarily on the amendments in the group that relate to electric shock collars and other harmful tools to train or control dogs. Practically all the animal welfare charities have raised concerns over a long period about electric shock collars and have called for their prohibition. So, too, has the Scottish Animal Welfare Commission, which was set up by this Government to advise it on such matters. As we have heard, the issue is not new—it has been extensively debated. The evidence on the cruelty of such devices is clear, and action is overdue.

Electric shock collars can emit up to 6,000 volts for up to 11 seconds at a time. Some devices have a range of up to 2 miles, which means that dogs can be completely out of sight, as we heard, when they receive that shock.

The Scottish Society for the Prevention of Cruelty to Animals says:

“Electric shock, prong and choke collars have no place in Scotland. Their use constitutes a cruel and counterproductive practice which only further endangers the welfare of dogs by inflicting pain and suffering.”

Blue Cross warns that the collars lead to:

“Anxiety-related behaviour or panic responses to seeing a collar or hearing the noise associated with their use. They can also re-direct aggression towards other dogs, their owner or members of the public”.

The British Veterinary Association has raised concerns that

“the use of shock collars on dogs generates considerable welfare harms”.

All argue that reward-based training is the only effective training method. Even the Scottish Government’s guidance on dog training aids, which was published in 2018, says the same.

The reality is that, if someone cannot control or train a dog humanely, they perhaps should not have one. That is why the amendments relating to

such matters are relevant to a bill on responsible dog ownership. The Government says that the bill is not the place to enact such measures—Maurice Golden has repeated that—but it fails to say where that place is and, crucially, when it should happen.

Members have raised the fact that the amendments have come only at stage 3 or are not within the scope of the bill, but I remind the Government that there is a precedent. During the passage of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020, it introduced late-stage amendments to ban the shooting of seal.

Too often, when it comes to animal welfare issues, the Government hides behind guidance. It knows that it has practically no legal underpinning, which limits its power when it comes to enforcement.

I very much support the amendments in the name of Ross Greer, and Labour will support all the amendments in the group.

Edward Mountain (Highlands and Islands) (Con): I want to debate the issue purely on technical grounds, but to put my comments into context, I mention that I have been training dogs for more than 40 years. In fact, I have successfully trained 15 dogs, and some of the puppies that I have seen bred from my dogs have gone to assist people as part of their treatment for cancer; some have become service dogs; and some have become buddies for children who have a short time on this planet. They are very placid dogs, and in most cases, they have been very easy to train.

Over the 40 years that I have been involved, training has significantly changed. I am glad that it has changed, because it used to be more about dominating a dog; now, it is more about rewarding a dog, which is the way that it should be. However, I have had two dogs that proved significantly difficult. For one of them, the only way to keep it in my garden was to put an underground electric fence around the garden and have a collar fitted to the dog. On the occasions that it did not have the collar on, it would definitely wander off. On one occasion, it was brought back to me by a friend who was a local farmer after it had had a go at his sheep. That, sadly, resulted in the death of the dog, because I felt that I could not keep it.

I am not sure that I agree that electric collars have much of a place, but I think that they have some place. I would like to debate that issue as a Parliament. I understand Mr Greer's points about the previous evidence that has been taken, but let us debate it. The problem is that we did not debate the amendments at stage 2.

I specifically took part in stage 2—I debated various matters then and at stage 1. I am sure that I do not need to remind members that, during the

stage 1 debate, Christine Grahame said that if I did not know where my marriage certificate was—because I had raised a question about certificates—my wife would surely tell me. I am delighted to confirm that my wife did tell me where it was—she keeps it under lock and key at home. My issue is—

Ross Greer: Will the member take an intervention?

Edward Mountain: I will do so in just a moment.

My issue is that we have not debated these amendments at stage 2 and, in fact, they have not been debated at committee.

I give way to Mr Greer.

Ross Greer: I am grateful to the member for taking the intervention and I congratulate him on finding his marriage certificate.

I will clarify why the amendments were not lodged at stage 2 but have been lodged now. Roughly concurrent with the stage 2 process, I was lodging written questions with the Government to try to get its response to a report published by its own expert advisers in April 2023. At that point, the Government said that it was still considering its response. It then became clear that the Government had no intention of responding to the 2023 report until after another report was out—that report is due in April 2025. It was another example of the Government kicking issues further into the long grass.

That was the process behind this situation. I was trying, as I have made clear, to have this issue dealt with by regulation, and the Government has continued to shift the goalposts, despite having the evidence sat in front of it for two years.

Edward Mountain: That is an explanation, not a question, but I understand the point that Mr Greer is making.

I am a staunch parliamentarian when it comes to these things, and you would expect nothing less from a convener. I absolutely believe that part of the process is that these issues have to be raised for debate at all the bill stages. It should have been raised during stage 1 at the committee and at stage 2.

Frankly, in my opinion—Mr Greer is entitled to have a different opinion—bringing forward an argument at stage 3 that has not been debated during the course of the bill is wrong. I have always called that out, and I always will call it out—it is disrespectful to the committee that has been considering the bill, and it is disrespectful to the Parliament.

On that basis, although I want with all my heart to support Christine Grahame's bill this afternoon, I find myself in a position as a parliamentarian in which I will not be able to support it if the amendments that Mr Greer is moving regarding shock collars and choke collars are passed by Parliament without having been properly scrutinised because they were not introduced through the correct procedure. I am sorry, Ms Grahame.

Fulton MacGregor (Coatbridge and Chryston) (SNP): This is not the kind of debate that I would usually be speaking in, but I have decided to speak to the group 1 amendments after having received a significant number of queries from constituents over the past few days—perhaps the past week. Although I might be praising Christine Grahame too much by saying this, I assume that the fact that I had had no correspondence about the bill until these amendments were revealed is a testament to the bill's strengths and competence.

What struck me about those who contacted me was that they were a mix of individual dog owners and owners of dog-related businesses. Significantly, they all cared deeply about the welfare of dogs. What made me sit up and listen was that they were all passionately opposed to Ross Greer's amendment 18, which proposes the banning of e-collars.

The business owners who contacted me include Kelsey Kiernan from Bedlay Gardens in Moodiesburn, Andrea Kennedy from Gartcross Kennels in Coatbridge and Daryl Thomson from Cruz K-9 Dog Training. Kelsey Kiernan has engaged with me and the Government before, for example, on the recent debate around XL bullies and the possible unintended consequences of having them. I very much value her expertise on issues around the welfare of dogs.

As everybody can see, on the face of it, amendment 18 appears to take a common-sense approach by preventing suffering. If it had not been for those who contacted me, that might have been where I landed on the matter, and I appreciate everything that Ross Greer has laid out. However, serious concerns have been relayed to me on possible unintended consequences, including a concern that the vague wording allows scope for a blanket ban to be implemented, which might, counterintuitively, be harmful to the dog population of Scotland. I was told that, for dogs struggling with behavioural issues, e-collars can provide a humane and efficient way to manage and modify challenging behaviours, enabling those dogs to live better and better-adjusted lives.

John Mason (Glasgow Shettleston) (Ind): Will the member give way?

Fulton MacGregor: I will just make this point, John, and then I will let you in.

That was the case for my constituent Laura Rodgers, who told me about her dog Rex, who she rescued from a puppy mill at five weeks old. She said:

"A harness could be a death sentence for Rex and cause permanent paralysis. That is why we need to continue to use the prong and e-collar, or Rex will never go another walk in his life."

Another constituent, Lauren Russell, who rescued a puppy that was brought over from Romania, said that, with

"the use of a muzzle, a slip lead and a figure-of-eight configuration, and an e-collar for recall and a crate to provide the correct amount of sleep, Angus is now a happier and calmer dog."

I am happy to bring in John if he still wants to intervene.

The Presiding Officer: I would be grateful if you would use Mr Mason's full name, Mr MacGregor.

Fulton MacGregor: Apologies, Presiding Officer.

John Mason: Thank you very much. It is nice to know that I still have some friends who call me by my first name.

Members: Aw!

John Mason: The member highlights comments from one or two constituents who run businesses—I have also had one or two—and the legislation could have an impact on them. On the other hand, virtually all the animal welfare organisations are arguing against e-collars in particular, although not against muzzles, which he mentioned. Does he dismiss their thoughts?

Fulton MacGregor: I thank the member, and he will always be a friend.

I absolutely do not dismiss their thoughts. I accept that point and I will come back to it in a wee second.

Those are just two examples to help illustrate my thinking today. I have heard from several constituents who have taken in rescue dogs with severely complex needs and they have cited e-collars as the only tool that stood between training a dog humanely and having to put it to sleep. That is important.

Kenneth Gibson (Cunninghame North) (SNP): Will the member take an intervention?

Fulton MacGregor: I have already taken an intervention.

I am advised that critics often misunderstand or focus on those who misuse e-collars, leading to

calls for bans. However, banning them would limit the ability of responsible trainers and owners to manage dogs effectively, particularly those with complex needs, as I have already mentioned. I believe that education in the proper use of e-collars rather than full prohibition is the better solution at this time.

I was going to mention their effectiveness in rural areas, but Ross Greer has covered that. As I do not have a particularly rural constituency and there are probably people better placed than me to talk about that, I will leave it there.

It goes without saying that I do not support measures that would cause harm to animals but, in this instance, I believe that a more nuanced approach is needed rather than an outright ban. I also note that we are still waiting for the Scottish Animal Welfare Commission to report on aversive training methods, and I believe that it would be wise to wait until we see that report in full before pushing for any bans.

Ross Greer: Will the member take an intervention?

Fulton MacGregor: I might be coming to the point that you are going to raise, but I will let you in.

The Presiding Officer: Please always speak through the chair.

Ross Greer: I am grateful to the member for taking my intervention. He started by saying that the issue was one of muddled wording, but the argument that he has laid out is not about the wording of the amendments. Mr MacGregor has laid out an argument in favour of the use of shock collars. That is a minority position that some people hold, and I recognise that, but I want him to clarify that. Is he arguing against the amendments because he thinks that there is an issue with the wording of them? He has not yet done that. What he has done so far is to argue against the Scottish Government's position of 2018 and the Scottish Animal Welfare Commission's position of 2023, which is that e-collars and shock collars should not be used—full stop.

Fulton MacGregor: I appreciate the member's intervention, but I need to be clear that I am representing constituents who have contacted me—that is our job in this place. I was coming on to say that it is because constituents have not had a chance to feed their views into the debate on the amendments that they felt the need to come to me at short notice. That is why I went back to what Edward Mountain said. I am not opposed to a ban if a ban is the right thing, but it needs to be effective, as Maurice Golden said, and as I am sure that Christine Grahame and others will reflect. An effective ban needs to look at where there could be exemptions, but it also needs to go

through a proper parliamentary process that constituents can feed into, so that members can hear from constituents such as those that I have heard from.

Kenneth Gibson: In January 2015, Christine Grahame brought a debate on a shocking way to treat a dog. I spoke in that debate and I also lodged a motion on 11 September 2007 that called for a ban on electric shock collars. What is happening now is that people who oppose the amendments are doing so on the basis of the protests of a few people who have a vested interest. Does the member agree that the people who have dogs' best interests at heart are the Dogs Trust, the Kennel Club, Blue Cross and other animal welfare organisations, rather than people who might have a financial or other vested interest? We should be addressing the cruelty that is inherent in the shock collars, rather than hiding behind parliamentary process, as some members appear to be doing today.

Fulton MacGregor: I thank Kenneth Gibson for that intervention. I do not disagree that the animal welfare organisations support the amendments, but what I have been told by constituents, and what I believe, is that there is probably a subgroup for which there needs to be exemptions.

I go back to the case of Rex. I was told by my constituent that

"A harness could be a death sentence for Rex and cause permanent paralysis. That is why we need to continue to use the prong and e-collar, or Rex will never go another walk in his life."

Another constituent that I mentioned, Lauren Russell, said that, after using an e-collar, her dog Angus is now happier and calmer.

16:15

I have been told by constituents—and I have to believe what they are telling me—that if they do not use an e-collar with those dogs, the dogs could be put down. I know that no animal welfare organisation would have been up for that either.

I am not likely to vote for amendments 17 and 18, but I want there to be a fuller discussion on the matter. I want a discussion that brings in areas where e-collars could be needed in order to provide the effective ban that members have been talking about.

Beatrice Wishart (Shetland Islands) (LD): I am sympathetic to the intention behind Ross Greer's amendments 17 and 18. Alongside other members, I have previously called for the Scottish Government to ban shock collars because they compromise dog welfare and can in some cases result in behavioural problems. However, I am unable to support amendments 17 and 18

because I do not believe that they constitute a full ban on the sale, supply and purchase of such devices. As such, they do not present the most comprehensive, effective approach for a ban.

I am also concerned that, because the amendments were lodged at such a late stage in the parliamentary process, there has been insufficient time to give them due scrutiny and ensure that their effect matches their aim. I note Ross Greer's response to Edward Mountain on that point.

I would like to take this opportunity to repeat my call on the Scottish Government to bring in a full ban on shock collars. I would be grateful if the minister would provide an update on the Scottish Government's work on that issue and on any work that it is doing on other aversive training methods.

The Minister for Agriculture and Connectivity (Jim Fairlie): I thank Ross Greer for explaining the purpose of his amendments, but I cannot agree that all of them are absolutely necessary. It is the Scottish Government's intention to develop the details and contents of the proposed code of practice with stakeholders, and that work is already taking place. Having further items specified in the bill would restrict what could be decided in conjunction with stakeholders.

It is the view of the Scottish Government and Christine Grahame, which was shared by the Rural Affairs and Islands Committee at stage 1, that a new, stand-alone, concise and accessible code of practice relating specifically to the acquisition of dogs is a key aspect of the bill.

Richard Leonard (Central Scotland) (Lab): When the minister tells us that the Government agrees broadly with the principles behind an amendment but that this is not the right bill for it, that has a certain familiar ring to it. It is in favour of compensating the victimised miners, but not in the bill that pardons the victimised miners. It is in favour of ending the inhumane accommodation conditions for migrant workers, but not in the bill that provides assistance to farming and rural communities. Where does the Government think the right place is to outlaw the barbaric treatment of dogs if it is not in the Welfare of Dogs (Scotland) Bill?

Jim Fairlie: I am disappointed in Mr Leonard's attempt to politicise the entire bill, given that there will be, I hope, broad parliamentary agreement on it.

I will continue with the contribution that I was about to make. The intention is that the new code will complement the wider advice on keeping dogs in the current and future iterations of the code of practice for the welfare of dogs, with clear signposting between the codes to minimise any potential confusion. I believe that most of the

amendments that have been lodged are more in keeping with the wider advice on keeping dogs rather than with a code of practice specifically relating to the acquisition of dogs. The bill is about the explicit process of acquiring a dog.

The Scottish Animal Welfare Commission has been asked to look at aversive training devices and is expected to report on the matter in the near future. A review of e-collars is under way, too, as part of a wider review of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020, on which a report is due in April. The Scottish Government will carefully consider the recommendations from the SAWC and the review before deciding how to proceed. I believe that to be the correct course of action, which will give everyone time to fully consider the recommendations that the SAWC proposes and the outcome of the review, as well as respect the parliamentary process of proper scrutiny of legislation at the right time.

Finlay Carson (Galloway and West Dumfries) (Con): Will the member give way?

Ross Greer rose—

Ben Macpherson (Edinburgh Northern and Leith) (SNP): [*Made a request to intervene.*]

Jim Fairlie: I will take Ben Macpherson's intervention.

Ben Macpherson: I appreciate what the minister has just laid out to the Parliament. Can he clarify that the undertaking that was given in 2018 by the previous cabinet secretary Roseanna Cunningham will be honoured? He has already set out the different ways in which that will be done but, for those of us who have campaigned on the issue in previous years, it would be helpful for that undertaking to be re-emphasised.

Jim Fairlie: I am not aware of the undertaking that Roseanna Cunningham gave, but I will find out exactly what Ben Macpherson is talking about.

To be clear, the proposed amendments do not constitute a ban on any particular training device, so they would not have any practical effect in prohibiting the use, supply or possession of a specific sort of training device. They would simply complicate the code and cause unnecessary confusion. Furthermore, the code does not have the effect of criminalising behaviour, as, I believe, is intended through the amendments. Therefore, I ask Ross Greer not to press or move his amendments.

Finlay Carson: I rarely ask whether the minister agrees with my position, but does he agree that this is another example of the Greens expecting the Parliament to make legislation on the hoof or, in this case, on the paw? Rather than the Parliament scrutinising legislation properly, this is

another example of the Greens proposing something at the last minute, as was the case with the proposals on mountain hares and kelp harvesting, that would not achieve the outcomes that members in the Parliament would want. The proposals should have been properly debated, and there was plenty of opportunity for similar amendments to have been lodged at stage 2.

Jim Fairlie: In the spirit of the consensus that, I hope, the debate will deliver, I will not agree with any of that, but I hear the points that Finlay Carson has made.

I can support Ross Greer's amendment 16 on ensuring that the acquirer of a dog

"is committed to training the dog in a safe and healthy manner".

The amendment is in keeping with the other content of the code, which is about encouraging people who are acquiring a dog to think about the practicalities and realities of dog ownership.

Ross Greer: I am finding much of the minister's contribution deeply confusing. I have only one question: will the minister bring forward regulations before the end of this parliamentary session to ban shock collars, as the Government's advisers recommended unequivocally two years ago?

Jim Fairlie: Ross Greer is correct to say that, since the bill has been published, people have been writing to us to ask us to ban electric shock collars, but there are also people who have asked us not to ban them. It goes back to the point that Finlay Carson made: let us have a proper debate and discussion about what that would look like. A further report will be published in April by the SAWC. Once that has been delivered, let us come back and have a proper debate about the issue.

Ross Greer: The minister says that we need to wait for a further report from the SAWC. What was lacking in the thoroughly evidenced report of April 2023, which included consultation with dog owners, animal welfare experts and those who use shock collars, that has meant that we need to wait for another report before we can come to a view?

Jim Fairlie: I am not entirely convinced that Mr Greer understands that the SAWC report was limited in scope, covering only remote controlled training collars that use a static pulse as stimulus. There is a wide range of e-collars, and there are many other aversive devices. If we are going to debate how to train dogs effectively and humanely, let us do it properly with full political scrutiny.

The suggestion in Ariane Burgess's amendment 19 that the identification of a veterinary practice could be included in the proposed code of practice is a good one, but that sort of detail should be left to officials and stakeholders to take forward as the

code is developed. Stakeholder meetings on the code of practice started in 2024 and will continue after this debate has concluded. Officials will raise that proposal in the discussions with stakeholders. However, I ask Ariane Burgess not to move amendment 19.

Christine Grahame: As Ross Greer knows, I cannot support his amendments 12, 13, 14, 17 and 18, but I thoroughly support the sentiment and motivation behind them. For more than a decade, I have campaigned for a ban on the use of shock collars. Before Ross Greer came to the Parliament, I held an event at which I encouraged MSPs to try a shock collar on their wrists. Few did, and some got really upset, because shock collars deliver different levels of pain and the reaction depends on the dog. Therefore, I will take no lessons from anyone in here—not a single person—about my commitment to a ban on shock collars. My call for a ban remains.

I thank everyone for speaking in the debate. However, as a legislator—not with my political hat on but as a legislator—I have to ask this: is what has been proposed the way to introduce a ban with a robust and enforceable legal framework, and has that been tested through our established parliamentary processes, as Edward Mountain said?

To say that I am hiding behind process is not correct. Process is essential—

Ross Greer: Will the member take an intervention?

Christine Grahame: Let me finish—the member has a summing-up speech.

I have listened to all this, and I will come to the point. Process is essential to robust legislation in order to deliver what we want in practical terms. First, in my view, the amendments fall down here, because, although I know that they have been ruled as competent, they are outwith the purpose of the bill. I have been getting slightly agitated, because the purpose of the bill relates to the acquisition of dogs. There is a separate code, which is 36 pages long, on the duties and obligations that a person has with regard to the welfare of a dog that they own. That is my first point.

Secondly, and more significantly, the amendments have been shoehorned in at stage 3, without a mention at stage 1 or amendments having been lodged at stage 2. I heard what Ross Greer said about the fact that he was waiting for things to come through and that that was why he was perhaps too late to lodge amendments at that point—I am paraphrasing. We need a belt-and-braces approach. He should have lodged his amendments in time.

The debate, which has become all about shock collars and has usurped the bill's purpose of preventing the casual acquisition of puppies and dogs, has shown that there is a range of views in here. That very fact emphasises the need for proposals on a ban to go through the parliamentary process.

Martin Whitfield: Will the member take an intervention?

Christine Grahame: I will take the intervention in a while.

I say all that without it, for one minute, reducing my commitment to a ban on shock collars. Members can tell from the way that I speak how I feel and how angry I am that we have not done that.

I, too, refer to the recommendations of the Scottish Animal Welfare Commission on 11 April 2023. It said:

“Therefore, the Commission has concluded on the basis of the evidence considered during the course of our inquiry and in accordance with our remit to provide advice to Scottish Ministers on matters concerning the welfare of protected animals, that the use of e-collars for the training of animals in Scotland should be prohibited in Scotland.”

Hear, hear. I absolutely agree.

I come back to the fact that we have a pattern for this. As we know, Wales banned e-collars in 2010 through the Animal Welfare (Electronic Collars) (Wales) Regulations 2010. That is important, because it defined a “shock collar” and put in place criminal penalties for abusing the legislation, ranging from fines to imprisonment. That is what I call good legislation. I am appalled that we are so far behind, but that is the route that I want to go down.

I agree with Ross Greer. Okay, we might have to wait until some other report is published in April, but, at the end of the day, I want a commitment that there will be regulations in this parliamentary session—which will be my last—having gone through the parliamentary process, to ban the use of electronic shock collars in Scotland. We cannot ban their sale, because that involves the internal market. However, we should not do it in this bill, because that would be a bad way to make law.

Martin Whitfield: I am grateful to Christine Grahame for the passionate way in which she has brought her experience and wisdom to this matter. In an attempt to allow the temperature or pressure to recede a bit—with no disrespect to the Presiding Officer, who has the final decision on stage 3 amendments—is it perhaps time to look at the purpose of stage 3 proceedings and at what happens when, as Christine Grahame said, a new matter is presented at this stage of a bill?

16:30

Christine Grahame: As we know, the selection of amendments is a matter for the convener of a committee at stage 2 and for the Presiding Officer at stage 3. I am certainly not going to give advice on selection to either a convener or the Presiding Officer. That is my view.

I return to the issue. Members, please do not vote for these particular amendments, because they are in the wrong place at the wrong time. Please pursue the Government to get in place regulations that will be enforceable with specific penalties—including fines and imprisonment—and definitions, which is what anybody should do when making law.

However, I support amendment 16, which I discussed with Ross Greer, because I want to move the issue forward and I want pressure to be kept up on the Government. I encouraged Ross Greer to lodge a more general amendment, so that we can keep the heat up. My goodness, I am hot and bothered now.

Amendments 5 and 6, in the name of Maurice Golden, make it clear that the provision does not have to refer to a pure breed of dog; the acquirer can be accessing a type of dog. We had that big row over XL bullies, which I lost—that was, I am afraid, another piece of bad legislation that members voted for. I support those helpful and considered amendments and thank Maurice Golden for them.

I understand the purpose behind amendment 19, in the name of Ariane Burgess, and I welcome her highlighting the issue. However, I note that the existing code in relation to having a dog is 36 pages long—it is “War and Peace”—so I want this code to be simple and easy to follow, including by it asking only the basic questions. It has to be concise, engaging and people friendly. I do not consider the sourcing of a vet to be a central issue to include in its content.

I should say to Ariane Burgess that the issue is already raised in section 2(2)(e) of the bill, in which veterinary costs are among the things that we ask people to consider in advance of sale or transfer, so that they have a happy relationship. I hope that, having highlighted the issue, Ariane Burgess will not seek to move amendment 19.

I ask Ross Greer, as a fellow traveller, not to press or move the relevant amendments on a ban on shock collars.

The Presiding Officer: I call Ross Greer to wind up and to press or withdraw amendment 12.

Ross Greer: I want to preface my comments by making it absolutely clear that I have no doubt that all the dog owners who have been in touch with MSPs to defend the use of shock collars love their

dogs. However, that does not change the reality or the evidence of the cruelty of those devices. That evidence is absolutely clear, whether it be the evidence that has been gathered by every animal welfare organisation in Scotland that has made representations to the minister in support of my amendments or by the Government's Scottish Animal Welfare Commission.

I want to draw on the SAWC report to address the points that have been made about potential ambiguity and the point that Maurice Golden raised about whether the bill would bring in electric fences. I note that the definition in my amendment 18 is the SAWC definition—I have lifted my definition word for word from that. I am not freestyling or coming up with something brand new. It is the definition that was produced by the Government's expert advisers.

Beatrice Wishart called for a full ban in explaining why she would not support my amendments, but this is how we can force the issue to a full ban. The Government has been failing to ban shock collars for years. I do not believe that my amendments are the only way of doing that—I have made that clear. They are not even my preferred way of doing it. However, I have lodged the amendments, because the Government refuses to take forward the preferred way to deliver a ban.

Finlay Carson: Will Ross Greer take an intervention?

Ross Greer: In a second.

The preferred way has been advocated for by a number of members from across the chamber, including Finlay Carson, who was a supporter of previous efforts to ban shock collars by regulation.

Finlay Carson: I thank Ross Greer for giving way. Do you not see that you stood to undermine Christine Grahame's—

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

Finlay Carson: I beg your pardon, Presiding Officer.

It is quite clear that amendments at this late stage could undermine Christine Grahame's bill and the general principles behind its introduction. Mr Greer has been in Parliament long enough to recognise that, if we are to pass good legislation, the issue should have been raised at stage 2. I ask him why, given his passion for a ban to come into law, he did not raise the matter at stage 2 to allow the committee to gather evidence. In that way, the Parliament could have been united in banning shock collars, instead of the member grandstanding and potentially getting a Green press release out of it, and the legislation falling at the first hurdle.

Ross Greer: I think that that contribution was beneath the member. I have followed the correct parliamentary process. If I had not, I would not have been able to lodge my amendments.

However, as I explained earlier, at stage 2, the minister was still telling me that the Government was considering its response to the report of 2023. It is not doing that. It has kicked the issue into another report, and I am quite sure that, after that, it will kick it into another report, commission, working group or some other form of throwing the matter into at least the next session of Parliament. That is my frustration.

For a start, the minister said that the code of practice does not criminalise behaviour. My amendments would criminalise the specific form of behaviour that I am addressing. That is why I am giving Parliament the opportunity to consider them. I could see the discomfort of members across the chamber—SNP members in particular—who want shock collars to be banned and who wanted the minister to give some indication that the Government was moving towards such a ban. That is why I intervened on the minister, and it is why I have repeatedly asked him that question. He has very obviously avoided it, because the Government has no intention of banning shock collars. That is my frustration, and it is why I lodged my amendments.

Jim Fairlie: Will the member take an intervention?

Ross Greer: I will happily take an intervention from the minister. I again ask him: will the Scottish Government introduce regulations to ban shock collars in this session of Parliament?

Jim Fairlie: It is up to me to ask the question that I want to ask in my intervention, rather than be required to answer the question that has been put to me.

I cannot recall Ross Greer making a specific request to me during the bill process to ban electric shock collars. He has asked a number of parliamentary questions at various points, but at no point have I been approached and asked to include such a ban in any part of the bill.

I understand the strength of feeling in this debate—I genuinely do—but we have to go through the process. We have examples of people who did not know that certain things were going to happen in their lives and who have been caught out as a result of what has happened to other bits of legislation at stage 3. Many views have been expressed on both sides of the debate. I would very much like us, as a Parliament, to be able to have that debate in full, with all the details. Regardless of who wins or loses, that will be the result of that debate.

Mr Greer has asserted that he brought the matter to me in the past, but that is not necessarily the case.

Ross Greer: I found that—

Christine Grahame: Will the member take an intervention? I hope that it is helpful.

Ross Greer: I will happily do so.

Christine Grahame: I ask the member to ask the minister to introduce draft regulations that will be put to the committee, so that we can get a move on through the proper processes. That way, I hope that Ross Greer and I will both get to the destination that we want to get to. Perhaps we can get the minister to give a timescale for laying draft regulations—the Welsh model is there—and we can proceed on that basis.

Ross Greer: At this point, I happily invite the minister—this has become a somewhat oddly structured debate—to make an intervention to respond to Christine Grahame’s request. Will he bring forward draft regulations to ban shock collars in this session of Parliament?

Jim Fairlie: I will not commit to anything at this stage until we have gone through the full process.

Ross Greer: There you go, Presiding Officer. That is my frustration. I absolutely did not want this debate to take the tone that it is now taking. The minister has asked us to follow the process, but for how many years and decades must members keep following the process?

The minister has said that this debate has brought up strong positions on both sides—it has indeed. Any member is entitled to argue against a ban on shock collars. The issue is that the Scottish Government’s position is that it is opposed to shock collars. The Scottish Government took that position in 2018—it just would not enforce it.

Christine Grahame: Will the member give way?

Ross Greer: I will give way to Christine Grahame in a second.

What we have heard from the minister today represents a significant departure from—indeed, a significant rolling back on—the position held by the Scottish Government since 2018 of being against shock collars.

Before I take Christine Grahame’s intervention, I ask the minister this: is it the Scottish Government’s position that it is opposed to the use of shock collars?

Jim Fairlie: I will have an opportunity to sum up.

Ross Greer: The minister will not have an opportunity to sum up. I am summing up on this group of amendments.

At this point, I will take Christine Grahame’s intervention.

Christine Grahame: I support Ross Greer, in that my understanding of parliamentary process tells me that bringing forward draft regulations to lay before a committee is a parliamentary process. All he is asking is for the Government to have a plan B and that if it will not give a commitment today it will at least commit to putting draft regulations before the Rural Affairs and Islands Committee so that evidence can be taken and we can have a proper vote on a proper piece of legislation.

The Presiding Officer: Please wind up, Mr Greer.

Ross Greer: Presiding Officer, I appreciate that this has become a debate within a speech, which is something that we have not done in a while.

I emphasise to the minister—

Jim Fairlie: Will the member accept an intervention?

Ross Greer: In a second.

The minister has put SNP members in a difficult position. We have all repeatedly given him opportunities to resolve this by indicating in concrete terms how the Scottish Government will take the issue forward, but he has failed to do so. I see him consulting with other ministers and would be grateful at this point if he could give some indication of a concrete next step and if he could specifically address my question whether the Scottish Government still maintains its 2018 position against the use of shock collars.

Presiding Officer, I will begin to wind up once I have taken that intervention.

Jim Fairlie: I give the member an absolute commitment that I will write to the Rural Affairs and Islands Committee to arrange to go back to that committee for a full and proper debate about whether shock collars should be banned.

Ross Greer: I will be pressing my amendments, because we have had that debate and the Scottish Government has taken advice from the Scottish Animal Welfare Commission.

It is very frustrating. Christine Grahame was right to identify what I have proposed as a plan B. It is my B plan, but it is not even a B plan, because we gave the minister an opportunity to clarify whether he would bring forward regulations, but he would not do that. We then gave the minister an opportunity to clarify whether he would bring forward draft regulations, but he would not do that.

This afternoon, we gave the minister an opportunity to confirm that the Scottish Government still maintains the policy position against the use of shock collars that it published in 2018, but he would not do that either. The minister has had multiple opportunities to avoid putting members of his own party through a vote on the issue, but he has failed to do so. I will not let down the many people outside Parliament who have campaigned for a ban for a long time—I will be giving Parliament the opportunity to vote on this today.

In closing, I will make a few brief points. Fulton MacGregor referred to a constituent who said that they would put down their dog if the ban went through. I ask him to please tell that constituent to give their dog to a shelter, because every major animal welfare organisation that runs shelters is also opposed to the use of shock collars. Those who have the most experience of working with the most difficult dogs are opposed to shock collars and support my amendment, so I would welcome it if he relayed to his constituent that the appropriate thing to do with a dog that the owner genuinely cannot look after is to give that dog to a shelter and not have it put down.

Fulton MacGregor: The member has misrepresented what I said, which was that many constituents to whom I had spoken talked about training rescue dogs and the choices that they faced in those unique circumstances. It is definitely not like Ross Greer to do so, but he has misrepresented me.

The Presiding Officer: Please close, Mr Greer.

Ross Greer: With respect, I do not think I did misrepresent the member.

I have given the minister and the Government multiple opportunities to make any kind of commitment to move the issue forward and therefore to avoid my having to press my amendments to a vote. The minister has failed to do so.

We are long past the point of ending this very specific form of animal cruelty. Parliament should have the opportunity to vote on the matter today, in the absence of any Government action to deliver a ban on the use of shock collars. I will therefore be pressing my amendments.

The Presiding Officer: The question is, that amendment 12 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. As this is the first division of stage 3, I suspend proceedings for around five minutes to allow members to access the digital voting system.

16:43

Meeting suspended.

16:49

On resuming—

The Presiding Officer: Before we move to the vote, I am minded to accept a motion without notice, under rule 9.8.5A of standing orders, to propose that the time limit for groups 1 to 3 be extended by 30 minutes. I invite the Minister for Parliamentary Business to move the motion.

Motion moved,

That, under Rule 9.8.5A, the time limit for groups 1 to 3 be extended by up to 30 minutes.—[*Jamie Hepburn*]

Motion agreed to.

The Presiding Officer: We come to the vote on amendment 12, in the name of Ross Greer. Members should cast their votes now.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green) [Proxy vote cast by Gillian Mackay]
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green)
 Mason, John (Glasgow Shettleston) (Ind)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Siobhian (Ayr) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)

Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 White, Tess (North East Scotland) (Con)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 27, Against 85, Abstentions 0.

Amendment 12 disagreed to.

Amendment 13 moved—[Ross Greer].

The Presiding Officer: The question is, that amendment 13 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green) [Proxy vote cast by Gillian Mackay]
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green)
 Mason, John (Glasgow Shettleston) (Ind)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Siobhian (Ayr) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)

Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 28, Against 84, Abstentions 0.

Amendment 13 disagreed to.

Amendment 14 not moved.

The Presiding Officer: We move to group 2, which is on consultation on code. Amendment 4, in the name of Maurice Golden, is grouped with amendment 15.

Maurice Golden: The amendments in the group would insert into section 1(3) a list of who Scottish ministers would be required to consult, which would be those whom they consider to be representative of dog breeders and buyers, such as dog charities.

I move amendment 4.

Jim Fairlie: The Scottish Government supports Maurice Golden's amendments. An initial stakeholder workshop took place in 2024 and we will be holding further workshops to refine the code. Members of the working group on the code of practice include representatives from the SSPCA, SAWC, Blue Cross, the PDSA, the BVA, the Kennel Club, Dogs Trust, OneKind, Scotland's Rural College and Battersea Dogs and Cats Home. Those are the types of stakeholders to whom amendment 4 refers. The amendments reflect what is happening in practice to develop the code, which is why we support them.

Christine Grahame: I support Maurice Golden's amendments, which make it clear that the consultation on the code should include—as rightly it should—representatives of buyers and sellers. I support and welcome that.

However, I make a plea to the Scottish Government that the code does not turn into what I call "War and Peace", like the existing code for owners who already have dogs, but instead is short and, importantly, will be read. People are buying puppies and dogs on Gumtree, from puppy farms and sometimes out of the back of vans, so there is a scale and urgency to the issue, which is why I do not want the process to be overwhelmed by an extended consultation. It is urgent that the code is published, and that the certificate and code are in operation as quickly as possible. The bill has already been consulted on in depth with key stakeholders.

Maurice Golden: I thank the minister and the member for their collaboration on the amendments. I echo Christine Grahame's sentiments and press amendment 4.

Amendment 4 agreed to.

Amendment 15 moved—[Maurice Golden]—and agreed to.

Section 2—Content of code: in relation to sale or transfer of dog of any age

Amendment 5 moved—[Maurice Golden].

The Deputy Presiding Officer (Annabelle Ewing): The question is, that amendment 5 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Alex Cole-Hamilton (Edinburgh Western) (LD): On a point of order, Presiding Officer. My app froze. I would have voted yes.

17:00

The Deputy Presiding Officer: Thank you, Mr Cole-Hamilton. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Siobhian (Ayr) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)

Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green) [Proxy vote cast by Gillian Mackay]
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]

Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)

The Deputy Presiding Officer: The result of the division is: For 100, Against 9, Abstentions 0.

Amendment 5 agreed to.

Amendment 6 moved—[Maurice Golden].

The Deputy Presiding Officer: The question is, that amendment 6 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Jeremy Balfour (Lothian) (Con): On a point of order, Presiding Officer. I could not connect to the app. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Balfour. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Con)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Siobhian (Ayr) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (Con)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Harper, Emma (South Scotland) (SNP)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Renewable, Willie (North East Fife) (LD)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Simpson, Graham (Central Scotland) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Smyth, Colin (South Scotland) (Lab)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Cairnness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Greer, Ross (West Scotland) (Green)
Harvie, Patrick (Glasgow) (Green) [Proxy vote cast by Gillian Mackay]

Mackay, Gillian (Central Scotland) (Green)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Deputy Presiding Officer: The result of the division is: For 103, Against 7, Abstentions 0.

Amendment 6 agreed to.

Amendment 16 moved—[Ross Greer]—and agreed to.

Amendment 17 moved—[Ross Greer].

The Deputy Presiding Officer: The question is, that amendment 17 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green) [Proxy vote cast by Gillian Mackay]
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green)
 Mason, John (Glasgow Shettleston) (Ind)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Siobhian (Ayr) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)

FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 26, Against 86, Abstentions 0.

Amendment 17 disagreed to.

Amendment 18 moved—[Ross Greer].

The Deputy Presiding Officer: The question is, that amendment 18 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Edward Mountain: On a point of order, Presiding Officer. I seem to be having problems with the app this evening. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Mountain. Your vote will be recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green) [Proxy vote cast by Gillian Mackay]
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green)
 Mason, John (Glasgow Shettleston) (Ind)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Siobhian (Ayr) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)

Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 28, Against 84, Abstentions 0.

Amendment 18 disagreed to.

Amendment 19 not moved.

Section 3—Content of code: in relation to sale or transfer of young dog by first owner

The Deputy Presiding Officer: Group 3 is on content of code relating to young dogs: microchipping. Amendment 7, in the name of Maurice Golden, is grouped with amendments 8, 9 and 11.

Maurice Golden: My amendments in this group introduce a specific provision that highlights the legal requirement under the Microchipping of Dogs (Scotland) Regulations 2016 for a dog to be microchipped by the time they reach eight weeks old. In addition, individuals registering litters of puppies should be required to, if requested by an enforcer, provide microchip numbers with up-to-date details for each puppy.

I move amendment 7.

The Deputy Presiding Officer: I call Rhoda Grant, who I believe wishes to contribute. Ms Grant, could you please put your camera on?

Rhoda Grant (Highlands and Islands) (Lab): I have. Let me try again.

That does not appear to have worked.

The Deputy Presiding Officer: It is obviously not ideal that nobody can see you make your contribution, but given the particular circumstances of where we are now at eight minutes past five, I invite you to make your contribution.

Rhoda Grant: Thank you, Presiding Officer. My contribution will be very short. We looked at microchipping registers during stage 2, and the consensus was that it was better carried out on a UK-wide basis, but I support Maurice Golden's amendments. I recognise that microchipping can be used to trace dog ownership and is a tool that can be used to identify and discourage illegal puppy farms. Those breeders do not have the welfare of dogs at heart, and they exploit potential buyers.

If Maurice Golden's amendments are agreed to, it would put the onus on the buyer to ensure that the dogs are microchipped on purchase. That might go a long way to deal with dog theft and puppy farming, so I support the amendments.

Jim Fairlie: These amendments mean that, in making the code, the Scottish ministers will consider whether to require the prospective

acquirer to confirm that the dog has been microchipped. That is in line with the obligation that is already in place to microchip under regulation 6 of the Microchipping of Dogs (Scotland) Regulations 2016, which states that

“every keeper of a dog which is older than 8 weeks must ensure that it is microchipped.”

Furthermore, the certificate will require the prospective acquirer to confirm whether they have received the microchip details. The amendments will ensure that the definition of a microchip is consistent with other legislation, specifically the 2016 regulations. We support the amendments.

Christine Grahame: I, too, support these amendments from Maurice Golden—members will think that he and I are in cahoots—because they align with my policy intention in relation to microchipping and they complement the code and the certification process.

The amendments also provide me with the opportunity to set out my long-held support for microchipping and to make a plea for accelerated progress—I quite agree with Rhoda Grant on this—towards a UK-wide database, or databases that communicate with each other. We should keep up gentle pressure on the Department for Environment, Food and Rural Affairs, which can accelerate the process.

The Deputy Presiding Officer: I call Maurice Golden to wind up and to press or withdraw amendment 7.

Maurice Golden: I agree with the previous contributions regarding a UK-wide system for microchipping and, indeed, checking of microchipping via vets.

I will press amendment 7.

Amendment 7 agreed to.

Amendment 8 moved—[Maurice Golden]—and agreed to.

Section 4—Content of code: certificate

Amendment 9 moved—[Maurice Golden]—and agreed to.

The Deputy Presiding Officer: We turn to group 4, which is on the certificate. Amendment 1 is grouped with amendments 2, 3 and 10.

Christine Grahame: My amendments 1 to 3 add further weight to the importance of the certificate. The certificate needs to make clear to the person who is acquiring a dog the importance of the decision that they are taking and the responsibility that they are taking on.

Amendments 1 to 3, in combination with what is already in the bill, mean that the certificate needs to be kept by the person who is acquiring the dog

for the whole period of ownership of the dog and be shown on request, for example to an animal welfare inspector or police officer.

A failure to produce a signed certificate can be evidential when someone is accused of animal welfare offences. The certificate must include a requirement on the acquirer to confirm that they understand why they should keep the certificate and the consequences if they cannot present it when asked to do so.

I seek assurances from the minister, during the debate that will follow these stage 3 proceedings, that the published certificate will first be short, so that people engage with it; secondly, be in plain English; and thirdly, leave an acquirer with a clear sense of the responsibility that they are signing up to in getting a dog, including by asking them to demonstrate that they fully understand all the responsibilities that are set out in the certificate.

None of that is meant to be punitive; it is meant to educate people prior to acquiring a puppy or dog.

I understand the intentions of Maurice Golden's amendment 10. However, I submit that what is proposed is an unnecessary complication because the significance of the certificate will be clear. I have seen a draft of a certificate and I am not too unhappy about it. It makes plain the obligations of the acquirer and its status if requested by an appropriate agency, such as the SSPCA or the police—it is not for the general public—in the case of a possible animal welfare issue.

The Deputy Presiding Officer: Have you concluded, Ms Grahame?

Christine Grahame: I do not know—I am just going to check.

All the debate about shock collars has made me a bit dizzy, but I will finish.

I move amendment 1.

The Deputy Presiding Officer: I call Maurice Golden to speak to amendment 10 and other amendments in the group.

Maurice Golden: We are very supportive of Christine Grahame's amendments in the group.

My amendment 10 seeks to reflect that some breeders use puppy contracts, which contain similar information to what the bill suggests. For example, the Kennel Club's use of puppy contracts is extensive.

However, having listened to the contribution from Christine Grahame, I have decided not to move amendment 10.

17:15

Jim Fairlie: I support the amendments proposed by Christine Grahame, which will make it clear to dog owners the importance of retaining the certificate to show to an inspector or police when that person reasonably requires to see it in accordance with their powers under the Animal Health and Welfare (Scotland) Act 2006. To add to what Christine Grahame has said about the obligation, there will be a clear expectation in the code of practice for persons responsible for animals to take the relevant action. Section 6 of the bill states:

“A person's failure to comply with any provision of the code of practice does not in itself make the person liable to proceedings of any sort.”

However, it goes on to say:

“In any proceedings for a relevant offence ... failure to comply with a relevant provision of the code of practice may be relied upon as tending to establish liability”.

In the bill, the word “must” is used to describe the content that ministers must include in the code, and “is to” has been used to describe the expectations on the persons to whom the code applies. The effect is that there will be a provision in the code for acquirers to keep the certificate and to produce it when reasonably requested in an investigation. Failure to do so will be evidence that the person has committed the offence of failing to give information and assistance to an inspector or a constable when exercising a relevant power under schedule 1 to the 2006 act. It may also be evidence that the person has committed an animal welfare offence under the act. That is all set out in section 6.

I am glad to hear that Maurice Golden will not move amendment 10, so I will not continue with my remarks in that regard.

The Deputy Presiding Officer: Christine Grahame, do you wish to add anything by way of wind-up?

Christine Grahame: No. I will press amendment 1. The dizziness was metaphorical. I have had concern shown for me in the chamber.

The Deputy Presiding Officer: I am delighted to note the concern that members have kindly shown Ms Grahame, and that everything is all right.

Amendment 1 agreed to.

Amendments 2 and 3 moved—[Christine Grahame]—and agreed to.

Amendment 10 not moved.

Amendment 11 moved—[Maurice Golden]—and agreed to.

Section 6—Effect of code

The Deputy Presiding Officer: Group 5 is on effect of code. Amendment 20, in the name of Ross Greer, is grouped with amendments 21 and 22.

Ross Greer: Members will be pleased to know, given the impending weather pattern and travel disruption, that I will not be moving amendments 20 to 22. They are either consequential or closely related to what we have just thoroughly debated. I imagine that the outcome of a vote would be similar, so I am happy not to move any of them.

Amendment 20 not moved.

Amendment 21 not moved.

The Deputy Presiding Officer: I call Ross Greer to move or not move amendment 22.

Ross Greer: Not moved. Perhaps we should not move amendments en bloc in the future.

Amendment 22 not moved.

Section 7—Public awareness and understanding of code

The Deputy Presiding Officer: Group 6 is on public awareness and understanding of code. Amendment 23, in the name of Ariane Burgess, is the only amendment in the group.

Ariane Burgess: Amendment 23 returns to an issue that I previously raised at stage 2, relating to how the Government and public bodies will promote public awareness of the code of practice. Without a high level of public awareness of the code, the legislation will not promote the behaviour change that we all wish to see when it comes to selling and acquiring dogs and puppies. For that, there must be sufficient resources for effective public-awareness campaigns and related activities.

I thank the SSPCA and the British Veterinary Association, which have given their support to amendment 23. I also thank the minister and his team for their engagement on the issue ahead of stage 3. With sufficient assurances today, I will consider not pressing amendment 23 to a vote.

I move amendment 23.

Jim Fairlie: I thank Ariane Burgess for explaining amendment 23 and for the engagement that she and I have had. However, I remind the member that section 7 of the bill already includes a duty on the Scottish ministers to

“take reasonable steps to ensure public awareness and understanding of the code of practice.”

It is the view of the Scottish Government that taking “reasonable steps” would, by implication, include ensuring that there were suitable

resources available, so amendment 23 is unnecessary. We expect that publicising the new code will require a significant public awareness-raising campaign, ideally with co-ordinated messaging from the main welfare organisations and enforcement agencies. We will be working with stakeholder organisations to consider the most effective way of doing that.

I ask Ariane Burgess not to press the amendment.

Christine Grahame: I thank Ariane Burgess for lodging amendment 23. At the risk of sounding like a broken record, I have long highlighted the need for all Scottish Governments to treat members’ bills in the same manner as their own bills, once they are enacted as law. They both become acts of the Scottish Parliament, so it follows that the provision of resources for public awareness campaigns should go without saying. In this case, sections 7(1) and 7(2) of the bill already require that they are provided, not just when the code is introduced but when they are needed.

Members’ bills get publicity at their birth, but they do not get it thereafter in the same way that Government bills do. They should be treated the same.

The Deputy Presiding Officer: I call Ariane Burgess to wind up and to press or withdraw amendment 23.

Ariane Burgess: In the interests of time, I wind up. I will not press the amendment.

Amendment 23, by agreement, withdrawn.

The Deputy Presiding Officer: That ends stage 3 consideration of amendments.

Welfare of Dogs (Scotland) Bill

The Deputy Presiding Officer (Annabelle Ewing): Members will be aware that the Presiding Officer is required, under standing orders, to decide whether, in her view, any provision of a bill relates to a protected subject matter—that is, whether it modifies the electoral system and franchise for Scottish parliamentary elections. In the Presiding Officer’s view, no provision of the Welfare of Dogs (Scotland) Bill relates to a protected subject matter; therefore, the bill does not require a supermajority to be passed at stage 3.

The next item of business is a debate on motion S6M-16120, in the name of Christine Grahame, on the Welfare of Dogs (Scotland) Bill at stage 3. I invite members who wish to speak in the debate to press their request-to-speak button. I call Christine Grahame to speak to and move the motion.

17:23

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): At first, I was a wee bit discombobulated that a debate that should have focused on the acquisition of a puppy or a dog turned into a debate on shock collars. I request here and now that there be draft regulations proposing a ban, as was recommended by the Scottish Animal Welfare Commission almost two years ago. I request that those regulations be laid before a committee and be considered during the current parliamentary session. I suggest that members across the parties who agree with me that there should simply be a proper, thorough debate on actual regulations—whether or not they agree with a ban—get together and formally request that. I hope that that assuages the concerns of Ross Greer and anybody else who thinks that I am letting the matter go.

This is my last session in a Parliament of which I have been a member for almost 27 years.

Ross Greer: Will the member give way?

Christine Grahame: Of course. The member has let me in so often that I have to.

Ross Greer: I absolutely agree with the course of action that Christine Grahame suggests. I stress that I absolutely respect the huge amount of effort that she has put in over many years of leading debates on these issues, and I would never suggest otherwise.

Christine Grahame: At the risk of turning this into a love-in, I say yes to that. I hope that the member and everyone else in the chamber considers what I said, because the Parliament

should have a say in things, not just the Government.

Let us turn to the purpose of the bill. Seven years ago, I saw the growth in the supply of puppies and dogs for purchase online on Gumtree and from puppy factory farms, and I thought about what could be done to reduce that. I decided that, if supply was the issue, the current legislation and policing were not having sufficient impact and that I should perhaps tackle demand, which I hoped would have an effect on supply.

We all know that there has been a surge in the level of dog ownership across Scotland and that it was exacerbated by Covid. Combined with the lack of an informed approach among the public to buying a dog—which I understand—that has also led to a rise in unscrupulous breeding and to casual and impulsive though well-meaning purchases. It is therefore more urgent to ensure that those who are thinking of getting a puppy or dog do so in an informed way.

My bill will require the Scottish Government to produce a code of practice that is to be used before someone acquires a puppy or dog—I stress “before”—and to educate prospective dog owners to make them pause—I do not mean to pun there—and reflect before taking on a puppy or dog. I would hope that that would reduce online acquisition. After all, we are talking about a sentient individual, not a fancy watch or a handbag.

The animal welfare issues, emotional distress, massive vet fees and high mortality rates that come about as a result of illegal puppy farming and the buying of dogs that people cannot care for have been well established. The Scottish Society for the Prevention of Cruelty to Animals has estimated that the illegal puppy trade is worth £13 million a year in Scotland. The Dogs Trust has highlighted the huge rise in problems that have arisen from people buying dogs that they cannot properly look after. Abandonment rates are rising.

This week, the Edinburgh Dog and Cat Home had too many dogs. One of them, Susan, a black lab-staffie cross, was abandoned on the streets at four years of age. She is boisterous but loving and friendly and she needs a home. I hope that this helps her and the others to find one. If anyone is thinking about getting a puppy or dog, why not try a rescue centre first?

Calls to the SSPCA helpline about giving up pets have quadrupled. Costs, vet care and inappropriate living conditions are cited as common reasons. A recent survey found that only 29 per cent of people considered cost when they got their pet.

Awareness of the signs of unscrupulous breeding is low. A report by the People’s

Dispensary for Sick Animals found that only 43 per cent of dog owners know that a puppy should be seen with its mother. The SSPCA highlighted that 65 per cent of owners found their pets online, and there is £2.5 million of associated fraud. That is serious crime and big business in the criminal fraternity.

According to Government-commissioned research, 20 per cent of puppies bought online fall ill or die within a year. The Dogs Trust's submission to my bill talks about

“educating and providing prospective dog owners with the tools to purchase or rehome a dog more responsibly, and to identify and avoid unscrupulous breeding practices.”

I agree with that. That is the crux of what the bill seeks to achieve—to change the behaviours of the public and to prevent many of the problems that I have highlighted. It is not punitive; it is meant to be educational and to change behaviours.

The code should also be short and easily understood. It will ensure that anyone who is buying a dog will reflect on questions such as “Do you have the right home environment?” and “Is it the right type of dog for you?” as part of the certification. Following that, the person who is handing over the puppy or dog and the person who is receiving it will be required to acknowledge that they have considered the issues raised in the code, with a certificate being issued that is to be kept throughout the dog's lifetime.

That certificate is based on a process that is followed in France, where, since 2022, a certificate has been required when someone buys a dog or any of a number of other animals. Both my certificate and the French certificate require the provider to sign the certificate, which gives the supplier the responsibility of ensuring that the acquirer has gone through all the necessary steps in the checklist of questions that are contained in the certificate. I applaud Mike Flynn, the newly and recently retired senior inspector of the SSPCA, because the idea for the certificate was his. I call it the terms and conditions.

I look forward to the rest of the debate.

The Deputy Presiding Officer: Thank you, Ms Grahame.

I call the minister, Jim Fairlie. You have up to four minutes.

The Minister for Agriculture and Connectivity (Jim Fairlie): Thank you, Presiding Officer. I am very pleased to lead for the Scottish Government in this stage 3 debate—

The Deputy Presiding Officer: Minister, I am terribly sorry but could you resume your seat for a second?

Ms Grahame, I do not believe that you moved the motion. Can you do so formally, please?

Christine Grahame: I was going to move it in my closing speech, but I am happy to do it now if it makes everybody content.

I move,

That the Parliament agrees that the Welfare of Dogs (Scotland) Bill be passed.

The Deputy Presiding Officer: Thank you very much. I call the minister, Jim Fairlie.

17:30

The Minister for Agriculture and Connectivity (Jim Fairlie): I am pleased to lead for the Scottish Government in this stage 3 debate as we play our part in passing this important legislation that will do much to protect the welfare of dogs across Scotland.

I thank Christine Grahame for her constructive and collaborative approach to introducing the bill to Parliament. A member's bill does not reach this stage without significant commitment and a great deal of effort. I know how much work Christine has put into the bill throughout its various stages, in both this session and the previous parliamentary session. The contribution that she just made clearly confirms how hard she has worked on the bill. Furthermore, I take this opportunity to commend Christine's efforts throughout her time in Parliament to make Scotland a much better place for animals to live in. Her tenacity and tireless efforts to improve animal welfare will long be remembered by us all.

I commend the hard work undertaken by the Parliament's non-Government bills unit to support Christine with the bill, and by my officials, who have helped to shape the bill into its current format. I also thank the Rural Affairs and Islands Committee for the role that it played in hearing evidence and in producing helpful recommendations at stage 1. We considered those recommendations carefully, and they led to the changes that were made at stage 2 to create a bill that was undoubtedly improved and that will improve the welfare of dogs across Scotland.

There are many serious concerns about the low-welfare puppy trade and the increasingly sophisticated ways in which the unscrupulous criminals behind the trade can fraudulently pass themselves off as legitimate breeders. I acknowledge the on-going hard work of the Scottish SPCA and other agencies across the UK, which continue to collaborate to combat the lucrative low-welfare pet trade by sharing information and taking enforcement action against the criminals who are involved. I am sure that many of us are aware of the Scottish SPCA's

hard-hitting Christmas campaign on the issue, and I commend it for putting focus on the matter at such an important time of the year.

The Scottish Government has supported that work. In recent years, it has made significant improvements to legislation on dog breeding and pet sales as well as, in previous years, funding campaigns to increase public awareness of the risks. The Scottish Government is committed to setting the highest standards for animal welfare. We want to do everything in our power to educate breeders, sellers, owners and prospective owners on how to meet a dog's needs and how to make the right choices when they are acquiring a dog. We believe that the bill will support the work in that area. We want to encourage the public to take more responsibility when they are considering taking on a dog and to understand how to source dogs responsibly. That is why I support the intentions behind the bill.

I look forward to hearing the debate. I remind everyone that, as a result of members working collaboratively through the legislative process, we have a bill before us that is worthy of Christine Grahame's hard work. I hope that members pass it unanimously.

17:33

Maurice Golden (North East Scotland) (Con):

I congratulate Christine Grahame on the bill and on its reaching stage 3. It means that we have the opportunity to encourage more responsible pet ownership and to tackle the illegal puppy trade.

Ultimately, it is the demand for dogs that gives unscrupulous breeders, dealers and smugglers the chance to exploit the public—especially since the indicators point to much of the public being dangerously unaware of what to look out for.

For example, according to the Kennel Club's research, more than a quarter of potential dog owners spend less than a day researching their decision to get a dog. Meanwhile, the "PDSA Animal Wellbeing Report 2023" shows that less than half of dog owners are aware that puppies should be seen alongside their mother.

On the supply side, the Scottish SPCA is doing tremendous work to disrupt that £13 million-a-year trade, and we can help it by addressing the demand side—educating the public and encouraging them on best practice. That is what the bill seeks to do through a new code of practice on acquiring and transferring dogs. The questions that it poses will be a way to make sellers consider their legal obligations and prospective dog owners think about the responsibility that they are taking on, such as whether they can provide for a dog and how it will fit into their lives.

I want the code to work, which is why I lodged amendments to improve it, such as widening the pool of people that ministers should consult before drawing it up. I also lodged amendments to strengthen the contents of the code, with more precise language on dog breeds and types, as not all types are registered breeds, and I proposed the requirement for buyers to check that the dog has been microchipped, and for that to be included in the bill's proposed certificate. I thank members who supported my amendments.

On electric shock collars, as members know, I have long campaigned for those cruel devices to be banned, so I am sympathetic to the Greens' amendment on that. However, it was lodged at a very late stage in a bill that was never intended to accommodate it, and without proper stakeholder consultation. That is why, ultimately, there was a real risk that the amendment would not deliver what it was intended to deliver, or that it would have unintended consequences. We have been down that road before, when I forced the Scottish National Party to promise a ban on shock collars. It has not delivered that ban, although I believe that ministers should be reporting on the matter in the coming weeks and, in my view, that will be a better opportunity to take forward an evidence-based case for a ban that can stick.

I close with a final plea to the Scottish Government. The provisions in the bill can help to improve dog welfare, but only if they are properly communicated to the public. Ministers must provide proper resources to ensure that that happens.

17:36

Rhoda Grant (Highlands and Islands) (Lab):

I congratulate Christine Grahame on introducing this member's bill. Throughout her career, she has fought to improve animal welfare, and the bill is testament to that. I thank all those who helped to bring the bill to the Parliament and who gave evidence. The frustration, as always with a member's bill, is that the levers that are available to the Government are not available to members. There are many things that we would have liked to have seen in the bill that are not there.

The bill will give prospective buyers a pause, so that they can reflect on the issues that are in the code. For reasonable, law-abiding people, that may lead them to change their mind on dog ownership or, indeed, on whether the breed of dog that they are seeking to own is practical for them, but will it stop them buying from puppy farmers? Few would chose to do that, but will they step back if they are faced with a seller who does not appear to be legitimate? As happens now, they might not. I do not think that the certificate would be enough to dissuade them.

We all know of people who, in good faith, have sought to buy a dog, and when it became clear that they were not buying from a reputable breeder, most will admit that they bought the dog regardless. The alternative would have been for them to leave the dog in the ownership of a seller who obviously did not care about the dog's welfare, and they could not bring themselves to do that. There are many sad stories of people who acquire dogs in that way, paying dearly for their pet and paying yet again for the vet fees to try to restore their animal's health. I hope that the publicity campaign on the bill encourages people to walk away from those sales. Although that appears to be cruel in the short term, it is the only way to stop the illegal puppy trade.

At stage 2, there were a number of amendments on microchipping registers. At the time, the Scottish Government undertook to work with the UK Government on the issue, because it was preferable to have a UK-wide microchipping register. There are a number of privately administered registers, and it is not always clear to a buyer whether a dog has indeed been microchipped, and the registers can be complex to update. It would be helpful to have a UK-wide register that would allow people to check the previous ownership of their pet. A single register would also make it easier to find puppy farmers and put them out of business. I know that that is not as simple as it sounds, given the number of private companies that are involved. However, I would welcome an update on progress and possible solutions when the minister sums up.

The bill is worthy, but, like every member's bill, it is restricted because it does not have the power of the Government behind it. I urge the Government to look at the issues that were raised during the bill's passage and to consider providing solutions to protect animal welfare and to stop the illegal trade in puppies.

17:40

Ariane Burgess (Highlands and Islands) (Green): I, too, congratulate Christine Grahame on her work in bringing the bill to Parliament. The bill is a testament to her tireless dedication to championing the welfare of animals in this Parliament.

As stakeholders have noted, there has been a rise in the impulse purchasing of dogs in recent years. That surge in demand has driven an increase in puppies being bred, sometimes in the most appalling conditions. Because dog breeding is a multimillion-pound industry, it attracts those who wish to exploit people for profit. During evidence taking, the committee heard about the trade's links to organised crime. Increasing public awareness of the illegal side of the trade is an

important step in ending puppy farming and in fostering responsible dog ownership. The bill aims to achieve exactly that, and I am pleased that it has reached the final stage.

The SSPCA is on the front line of caring for animals that have been neglected and abused in the boom of the low-welfare puppy trade, and it has rescued more than 260 puppies from the illegal trade since 2020. During our scrutiny of the bill, the committee heard evidence that it can be hard to spot puppies that have been raised in poor conditions. Indeed, I have spoken previously about constituents in my region who discovered, to their horror, that their rental property had been used as a front to sell puppies that had been raised in pitiful conditions. Unsuspecting buyers did not know that the sellers did not live at the property.

With the bill's passing, there will now be important safeguards in place to prompt prospective owners to consider what contact information a breeder or seller has provided, how old the puppy or dog is and its health records. To some, those may sound like obvious steps, but, with puppies in high demand, unscrupulous sellers can rush people into a quick decision, particularly when puppies are sold online.

The important role that vets play in addressing the problem has also been made clear. Like the SSPCA, vets see at first hand the impacts of low-welfare breeding and the stress that that causes to dogs as well as to their owners. I am pleased that the minister has taken on board my suggestion that the code of practice asks prospective owners to register with a vet as soon as they prepare to welcome their new dog home. I hope that more puppies being brought to a vet early on will mean that hidden health problems can be addressed early and that the alarm will be raised if illegal breeding is suspected.

My Green colleague Ross Greer has used the bill as an opportunity to press for a ban on aversive training tools, such as electric shock collars and prong collars. The British Veterinary Association considers shock collars to cause significant welfare harms to dogs, and the SSPCA describes them as

“a cruel and counterproductive practice”.

Instead, those bodies stress the need for reward-based training methods.

Calls to ban such devices have previously garnered support across the chamber. As we have heard today, that support has not gone away—there is still a passion for us to move in that direction—so it is deeply disappointing that Parliament has not seized the opportunity today to put a ban on such cruel training tools into law. However, I am grateful to Christine Grahame for her constructive proposal that the Government

brings draft regulations to the Rural Affairs and Islands Committee during this parliamentary session, so that we can bring a ban forward.

17:44

Beatrice Wishart (Shetland Islands) (LD): Christine Grahame has shown dedication and determination in her efforts to bring her bill to the Parliament. I, too, pay tribute to her hard work in advocating for action to improve dog welfare. I thank the organisations that shared their expertise when giving evidence to the committee and for providing briefings on the bill.

As other members have mentioned, figures from the SSPCA show that, in the past five years, the organisation has conducted more than 690 investigations into the puppy trade and rescued more than 260 puppies. It is clear that action is needed.

The bill aims to improve dog welfare in Scotland through measures focusing on the demand side. Keeping a pet dog is a major responsibility. When people purchase dogs without the necessary research—through carelessness or lack of knowledge—they can end up purchasing dogs from puppy farms. The Covid lockdowns saw rises in dog ownership and a subsequent increase in the low-welfare puppy trade, in which dogs are bred for profit, with no consideration for welfare. The bill is therefore a timely intervention.

Under the bill, the Scottish ministers must make a code of practice to be followed by people who want a dog to keep as a pet, as well as by people who are selling or giving away a dog. Under the code, potential individual owners will be asked to consider whether their situation is suited to owning a dog and whether they will be able to provide for the dog's needs throughout its life.

The aim of the code is to establish a more responsible and informed approach to acquiring and owning a dog, which should make considered purchases from reputable breeders the norm, resulting in fewer dogs suffering in the low-welfare trade. Buying a puppy from the back of a van in a supermarket car park, without seeing the conditions in which it and its mother were housed, is not a responsible and informed approach.

The bill requires the Scottish ministers to be responsible for ensuring public awareness and understanding of the code. For the bill to be successful, it is essential that awareness is as widespread as possible. The Scottish ministers should consider how best to publicise the code among harder-to-reach groups and how to ensure not only that people are aware of the code but that they put it into practice.

During the committee's scrutiny of the bill, there was discussion about microchipping and the complexities of the current set-up—there are multiple databases. The Scottish Government expressed its openness to working with the rest of the UK in a four-nations approach to create a single database. Although that is outside the scope of the bill, I look forward to updates from the Scottish Government on discussions with counterparts in the rest of the UK on that important issue.

Before I conclude, I will comment on shock collars and other aversive training methods. As I stated when debating Ross Greer's amendments, I have previously called for the Scottish Government to ban shock collars, because they compromise dog welfare and can, in some cases, result in behavioural problems. Although the bill is not the vehicle for such a ban, it is time for the Scottish Government to act on that issue. A ban could go hand in hand with the provisions of the bill to improve dog welfare.

I once again offer my congratulations to Christine Grahame. I look forward to the implementation of the bill and hope that it will have a positive impact on dog welfare in Scotland.

17:48

Ariane Burgess: Reflections from colleagues this afternoon show the strength of support that there is among all parties to improve animal welfare, which has been good to hear.

Following the vote on the bill, work will begin on drafting the code of practice. Its success in increasing responsible dog ownership will depend in large part on the steps that are taken to make the public aware of the code before they bring home a new dog. We have heard from Maurice Golden, Rhoda Grant and Beatrice Wishart about the need to ensure that promotion is adequately resourced. The minister has given assurances this afternoon that a campaign will be developed, alongside co-ordinated activity with Scotland's main animal welfare organisations. I will pay close attention to how that work progresses, as—I am sure—will fellow committee members.

The Scottish Greens are fully committed to delivering animal welfare improvements through the Parliament. From banning the use of cruel snare traps and ensuring stronger protection for raptors to introducing new powers for SSPCA officers to investigate wildlife crime, we have used our voice in the Parliament to secure strong protections for our fellow creatures.

Of course, my colleague Mark Ruskell is working on his proposed member's bill. Many members have lent their support to his proposed prohibition of greyhound racing (Scotland) bill, and

I hope that that will be the next piece of legislation that the Parliament passes to improve the welfare of dogs.

Christine Grahame should be rightly proud of bringing us to this point in making a marked improvement in how we care for our animals in Scotland. *[Interruption.]*

The Deputy Presiding Officer: Could you please resume your seat for a second, Ms Burgess?

This is a UK Government storm alert warning for storm Éowyn. I think that it will last for about 20 to 30 seconds. I suspend the meeting.

17:50

Meeting suspended.

17:52

On resuming—

The Deputy Presiding Officer: Thank you for your patience, members. I have no idea whether there will be a further iteration of the UK Government's alert siren. However, for the moment, we will try to make progress.

I apologise to Ms Burgess for interrupting her speech. Please continue.

Ariane Burgess: Thank you, Presiding Officer. I will go back a little.

Christine Grahame should be rightly proud of bringing us to this point in making a marked improvement in how we care for our animals in Scotland.

In closing, I encourage members to extend the compassion that has been shown today for pets or companion animals to other animals. Our farm animals must be cared for to the highest standards across their entire lives—*[Interruption.]*

The Deputy Presiding Officer: Please resume your seat, Ms Burgess.

I think that we will need to suspend for another few minutes. Apologies, Ms Burgess.

17:53

Meeting suspended.

17:57

On resuming—

The Presiding Officer (Alison Johnstone): Thank you, colleagues. I call Ariane Burgess to resume.

Ariane Burgess: Our farm animals must be cared for to the highest standard throughout their

entire lives, and not deemed worthy of less welfare than our pets. There can also be no more excuses for the illegal persecution of the iconic birds of prey in our countryside. The welfare of our marine life is also often forgotten but, from fish, dolphins and whales to the smallest creatures in the sea, all need protection.

The bill is an important step towards ensuring a high level of welfare for all animals, so, again, I am really appreciative of Christine Grahame for her work on the bill, and for all her work during her time in Parliament to address the welfare of animals and to give them a voice.

17:58

Colin Smyth (South Scotland) (Lab): I begin by paying tribute to Christine Grahame for her long-standing commitment to animal welfare, of which her bill is the latest example. It has been a privilege to be her deputy on the cross-party group on animal welfare, and I look forward to continued work with her.

We must prevent impulse purchasing of pups and young dogs and tackle public demand. I believe that Christine Grahame's bill will help to do that. Where there is demand, there is also a trade in which rogue dealers seek to make a profit at the expense of animal welfare. Last year, at the port of Cairnryan in my region, a large number of puppies were found in an appalling condition, confined in cardboard boxes under a lorry and without any food or water. Those poor pups suffered appalling health issues but, thankfully, due to the efforts of the SSPCA, they all survived and have since been rehomed.

Although Christine Grahame's bill, in its final form, will have a positive impact, a number of amendments that were before us today could and should have strengthened the legislation further.

I strongly support the prohibition of electric shock collars and other harmful tools to train or control dogs. The Scottish Animal Welfare Commission and practically all animal welfare charities have raised concerns about those devices and have called over a long period of time for their prohibition. The Dogs Trust has rightly said that

"Shock collars are unnecessary and cruel".

It is therefore disappointing that Conservative, SNP and Liberal Democrat MSPs joined forces to vote down amendments on them, and that a number of members made it clear that they are against a ban.

Finlay Carson (Galloway and West Dumfries) (Con): This afternoon, we have heard comments from members right across the chamber about the importance of this place getting legislation right

and making sure that it is robust. That is the reason why many members did not vote for the amendments. We want to get it right: it is not about not agreeing with the principles in general.

Colin Smyth: I believe that we have missed an opportunity today, because we could and should have acted. In particular—*[Interruption.]* I do not know whether Edward Mountain is seeking to intervene, but I appreciate that some Conservative members are against a ban.

Edward Mountain (Highlands and Islands) (Con): If we really wanted to legislate properly, the proposals could have been discussed at stage 1 or amendments on them could have been lodged at stage 2. Subverting the Parliament by slipping them in at stage 3 without discussing them properly has brought this Parliament and the committees into disrepute. Does the member not agree?

Colin Smyth: I appreciate that Edward Mountain is against a ban, but there is complete confusion about what the Conservative position is on this particular issue. *[Interruption.]* Mr Mountain can intervene again if he wants to, or he can maybe let me finish.

When the amendments were discussed today, we heard a call on the Government to make it clear that it will bring forward an opportunity for Parliament to vote on a ban. Sadly, we heard no commitment whatsoever from the Government to deliver a ban in the future. It is clear to me that the minister does not support a ban, and today he unilaterally dumped the Scottish Government's long-standing support for a ban. SNP members and others who claim to support a ban need to wake up to that reality. The minister was given an opportunity to give a commitment on the record that the Scottish Government would bring forward an opportunity to vote for a ban, but he failed to do so. My concern is that today's amendments were the only chance that we will have to address the matter, although I hope that I am wrong and that we will return to it in the future.

Animal welfare charities proposed, ahead of today's debate, other measures that could help to promote the welfare of dogs. There is the issue of flat-faced breeds, which I raised at stage 1—

The Presiding Officer: Please conclude, Mr Smyth.

Colin Smyth: —and members raised a number of other issues.

Animal welfare must always be a high priority in legislation. Animals cannot speak for themselves. We must be their voice to protect them from harm, and there is so much more work still to be done. *[Interruption.]*

18:02

Tim Eagle (Highlands and Islands) (Con): I am happy to speak loudly during any further alerts, so do not worry, Presiding Officer. As there is a weather warning, I will try to be quick so that we can all get home.

I add my tributes and those of my party to Christine Grahame for her tireless campaigning on the matter over the past six years, and for all the work that she has done to bring her bill to stage 3. As Rhoda Grant did, I congratulate the non-Government bills unit and the Rural Affairs and Islands Committee and its clerks for all their work on the bill. I thank all the stakeholders, groups and individuals who responded to the consultation and supported the bill throughout its scrutiny stages.

I fully support the aims of the bill, which will bring about a cultural shift in the way that puppies and dogs are bought, sold and given away. I agree with the Kennel Club's support for the bill because it will complement the current regulatory environment, which places all the emphasis on the breeder.

I also note that the Scottish SPCA agrees that we need to challenge buyers and change the pathway so that they take more responsibility. We have been told horror stories about irresponsible, neglectful and rogue dog breeding—something that was turbocharged by the increase in puppy purchases during and after Covid—and my hope is that the bill will bring help in resolving those issues.

I do not disagree with Ross Greer's point about shock collars. I remember learning that they are not the right way back in 1997, when I did an animal care course. That was many years ago. However, I also agree with my colleague Finlay Carson that there is maybe another way of doing this. I hope that the minister will bring forward more information on that in the future, once the next report comes out.

I agree with Rhoda Grant and Ariane Burgess about getting rid of the illegal puppy trade. We need to raise awareness among our population about that.

I know well that dogs can give comfort and support when they are well looked after. I am a collie man through and through, and I am most delighted when I am outside with Rosie, my sheepdog. I also have a golden retriever, who I would love to compliment, but she spends her entire life sitting on my sofa.

In the spirit of the bill, I ask everyone who is thinking of getting a dog to first study the Scottish SPCA's checklist. It is crucial to carefully research the potential breeder and not to buy online or from

someone if it is not possible to check where a puppy has been bred.

I and the Scottish Conservatives are delighted to support the Welfare of Dogs (Scotland) Bill. Again, I warmly congratulate Christine Grahame on all her work in bringing the bill to its conclusion.

18:05

Jim Fairlie: It is very fitting that we are starting 2025 considering a member's bill that has strong cross-party support, that addresses a matter that is of serious concern to everyone with an interest in animal welfare, and which, specifically, improves the welfare of dogs.

Notwithstanding the issues that we have debated on shock collars—I will address those—I am strongly committed to improving the lives of Scotland's animals and I am pleased that, during the past few years, the Government has been able to deliver many groundbreaking and innovative improvements in that area. There is, of course, always more that can be done, and we have signalled clearly our commitment to further improvements in the future.

At stage 2, committee members raised the issue of microchipping. I reiterate that we are working with other devolved Administrations to develop a single point-of-search facility for UK microchipping databases, which will enable authorities to more easily trace the owners of microchipped pets. We will continue to press the UK Government on that, and I will add urgency to those requests.

I hope that the publicity around today's debate will encourage the Scottish public to take more responsibility when people are considering taking on a dog, and that it will ensure that they do proper research on how to source one responsibly. There are undoubtedly many interrelated issues regarding responsible breeding and access to and acquiring of pups and dogs, and there must be a commitment to care of the dog throughout its whole life. The bill does not attempt to solve all those issues, but it raises the importance of behaviour change in tackling many of them. That will take time, engagement with educational resources and effective public awareness.

I acknowledge the concerns around e-collars that Ross Greer raised, and the public interest in the issue. However, I reiterate my earlier points that there are two reviews of e-collars, which are expected to report in the near future, and those will allow the Scottish Government to carefully consider the recommendations from both reports before deciding how to proceed. That will respect the parliamentary process and allow proper scrutiny of the issues. However, I make a

commitment to Ross Greer and other members that I will not kick that issue into the long grass.

I once again commend Christine Grahame for all her hard work and her dogged determination in getting the bill to this stage. She asked for a short code that is in plain English, and she asked to be able to ensure that people understand their responsibility. That will be for the people who bring the code together, but I encourage consideration of all of the points that Christine Grahame has raised. Members' bills such as this show what we can achieve when the Parliament and the Government work together on a cause that is of common concern for the benefit of Scotland's people, its communities and, in this case, its animals.

The Scottish Government therefore fully supports the bill. Once again, I urge the entire Parliament to vote in favour of Christine Grahame's bill, which will recognise her enormous efforts throughout her career. I hope that she is proud of the work that she has done, but more important is that the bill is for the betterment of the welfare of dogs in Scotland.

18:08

Christine Grahame: I thank members for bearing with me on this long day. I repeat that it has taken seven years to get here, but I hope that the Welfare of Dogs (Scotland) Bill will today become law.

First, I thank all the organisations and individuals who contributed to the process. I thank the Rural Affairs and Islands Committee, which did not go easy on me, for its rigorous scrutiny; the Scottish Government, for being prepared to negotiate with this difficult back bencher; members who have supported me from start to finish and engaged with the bill today, and who have lodged some very helpful amendments; and, most of all, the staff of the non-Government bills unit, who have helped me so much and have survived my idiosyncrasies, which tested their professionalism. Finally, I thank my excellent staff—team Christine—for not only their work on the bill but the support that they provide for me day in, day out.

I make it clear—and I repeat—that I unequivocally support a ban on the use of shock collars in line with the Scottish Animal Welfare Commission's recommendation of April 2023. I heard what the minister had to say, but the Scottish Government has dodged the issue for far too long. Once those reports are in, I look forward to draft regulations being produced for scrutiny by the Rural Affairs and Islands Committee, and ultimately by the Parliament. Ross Greer's amendments have pushed that argument forward. The bill was not the place for them, but he brought

the issues forward, and I hope that we will now make progress.

This is my last session in Parliament. By the time that I have finished—and Parliament will be finished with me—I will have been here for 27 years. Before then, I hope to see at least scrutiny of a ban on shock collars being used in Scotland.

I will be brief, but I want to highlight the need for a stand-alone code, when a code already exists for dog owners. That is the point—the current code is for existing dog owners. It is 36 pages long; I call it “War and Peace”. Perhaps that is unfair, but my code should fit on one side of A4, and—as the minister indicated—it will contain clear and uncluttered language.

Finally, I turn to the certificate, which has to be produced if it is “reasonably” requested by animal welfare agencies where they have concerns about a dog’s welfare. That document, which is signed by both the person who is transferring the dog and the new owner, indicates that both the previous and new owners have fully considered the questions in the code.

The code is not punitive—it is there to assist and educate. With the passage of my bill, I hope that we will avoid the current situation in which abandoned and discarded puppies and dogs fill the kennels of the rescue centres, and ensure that owner and dog have a happy and rewarding relationship in the years ahead. I had such a relationship with my late dog, Roostie, who was a wonderful, kindly Irish setter who, to this day—40 years after her death—I remember with fondness.

Once again, I stress that I hope that the bill is a small step in reducing the impulse buying of puppies or dogs, which so often lines the pockets of the criminal fraternity. In so doing, I hope that, when the time is right, for the right reasons and in the right place, with the right dog and the right person, a relationship will develop between dog and person that will only enhance that person’s life.

I know that I have already said this, but I want to say it again: I move that the Welfare of Dogs (Scotland) Bill be passed. [*Applause.*]

The Presiding Officer: That concludes the debate on the Welfare of Dogs (Scotland) Bill at stage 3.

Decision Time

18:12

The Presiding Officer (Alison Johnstone): There is one question to be put as a result of today’s business. The question is, that motion S6M-16120, in the name of Christine Grahame, on the Welfare of Dogs (Scotland) Bill at stage 3, be agreed to.

As it is a motion to pass the bill, the question must be decided by division, so there will be a brief suspension to allow members to access the digital voting system.

18:12

Meeting suspended.

18:14

On resuming—

The Presiding Officer: We come to the vote on motion S6M-16120, in the name of Christine Grahame, on the Welfare of Dogs (Scotland) Bill at stage 3. Members should cast their votes now.

The vote is closed.

Tess White (North East Scotland) (Con): On a point of order, Presiding Officer. My app did not work. I would have voted yes.

The Presiding Officer: Thank you, Ms White. We will ensure that that is recorded.

Neil Bibby (West Scotland) (Lab): On a point of order, Presiding Officer. I would have voted yes.

The Presiding Officer: Thank you, Mr Bibby. We will ensure that that is recorded.

For

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

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green) [Proxy vote cast by Gillian Mackay]
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)

Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on motion S6M-16120, in the name of Christine Grahame, on the Welfare of Dogs (Scotland) Bill at stage 3, is: For 114, Against 0, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Welfare of Dogs (Scotland) Bill be passed.

The Presiding Officer: The Welfare of Dogs (Scotland) Bill is passed. [*Applause.*]

Meeting closed at 18:16.

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