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Scottish Parliament

Wednesday 15 December 2021

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

Portfolio Question Time

Health and Social Care

The Deputy Presiding Officer (Liam McArthur): Good afternoon. I remind everyone that Covid measures are in place and that face masks should be worn when moving about the chamber or around the Holyrood campus.

The first item of business is portfolio question time—the first portfolio is health and social care. Members who wish to ask a supplementary question should press their request-to-speak button or type an R in the chat function.

I advise members that there is quite a lot of demand for questions, so I ask for succinct questions and answers.

Clinical Research (Support)

1. **Sue Webber (Lothian) (Con):** To ask the Scottish Government, in light of the role that clinical research has played in leading the country out of the Covid-19 pandemic, how it will support clinical research in the national health service to improve the care and treatment of patients with non-communicable diseases such as heart disease and stroke. (S6O-00524)

The Minister for Public Health, Women's Health and Sport (Maree Todd): Through the chief scientist office and NHS Research Scotland, the Scottish Government continues to invest in research infrastructure to support health boards to host and participate in a wide range of clinical research. That includes research relating to non-communicable diseases and, over the pandemic, studies to understand Covid-19 and trials of Covid-19 treatments and vaccines. Support for research in specific clinical areas is provided by clinical research networks and specialty groups, including for cardiovascular disease and stroke, as well as for other non-communicable diseases.

Sue Webber: Funding for the chief scientist office has not increased since 2011 and, compared with the United Kingdom Government's funding the National Institute for Health Research, it is less than two thirds of the funding for clinical research that is provided in England per capita. Without funding, Scotland risks losing talented clinical researchers and having reduced access to valuable new treatments. Will the Scottish

Government commit to increasing its funding of the chief scientist office to ensure that the national health service in Scotland is not left behind?

Maree Todd: We can certainly review the funding, but I have to say that the research infrastructure in Scotland is absolutely excellent. The number of leading universities that we have, the joined-up NHS and the unique community health index number that follows patients through the joined-up process that they go through, make Scotland an excellent place in which to conduct research. We continue to attract a great deal of scientific research.

The level of investment of about £40 million a year includes £4 million a year for 26 clinical research networks and specialty groups that provide support for research in specific clinical areas. Of that money, £69,000 supports the cardiovascular disease research specialty group and £641,000 supports the stroke research network. A great deal of work is going on. There are real challenges to research in Scotland, given the course of the pandemic and the circumstances that we currently face, but actually the situation is pretty healthy.

General Practitioners and Surgery Provision (North-east Scotland)

2. **Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government what assessment it has made of general practitioner numbers and surgery provision in the north-east. (S6O-00525)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): The Scottish Government is fully committed to ensuring that all communities in Scotland receive safe, reliable and sustainable healthcare services. Of course, statutory responsibility for ensuring primary medical services rests locally with health boards and health and social care partnerships. It is for each board to put in place the services that best meet the needs of its patient population, through consultation and engagement with the local community.

The latest figures, which were published today, show that we now have a record 5,195 GPs working in Scotland, which is an increase of 74 on last year. We remain on track to deliver our commitment to increase the number of GPs working in Scotland by at least 800 by 2027.

Liam Kerr: Last week, Carden medical centre announced its imminent closure due to inability to recruit GPs, which will displace nearly 9,000 patients. A proposed merger was abandoned due to a continuing reduction in the number of permanent GPs across Aberdeen.

The Government's failure to carry out workforce planning and to train and recruit GPs is a disgrace.

Who will take responsibility for that, and what planning has been done to reverse the trend? When will the north-east have enough GPs to run the services that the people of Aberdeen need and deserve?

Humza Yousaf: I say to the member that the Government has an impeccable record when it comes to staffing. We have the highest number—a record number—of staff in our NHS. That follows nine consecutive years of growth.

The decision on Carden medical centre was made by local partners in the Aberdeen City Health and Social Care Partnership. My understanding is that the HSCP is working for a smooth transition for all patients who are affected by the closure of the centre, that patients will automatically be registered to a new practice, and that there are nine practices within a 1 mile radius of the centre. I hope that disruption to the patients who are affected will therefore be minimised.

On the Government's record on staffing our NHS, the health service was a central issue in the election only six months ago when, of course, my party was re-elected for a fourth term.

Carol Mochan (South Scotland) (Lab): We all know that GPs are under enormous strain and pressure as a result of the pandemic. However, in East Ayrshire, there have been cases of significant issues with practices communicating decisions to local residents, which has led to many people not even being able to book appointments or discuss treatment plans. What can the Scottish Government do to ensure that residents in East Ayrshire receive the best possible GP services and that they receive them in a timely manner?

Humza Yousaf: Ms Mochan is right to refer to the fact that GPs are under incredible pressure, as are all NHS and social care staff, during the pandemic. I record my thanks to GPs for the hard work that they have done.

We provided GPs with additional funding prior to my winter announcement and as part of the winter package that I announced in Parliament a couple of months ago. I will take on board what Ms Mochan has said and see whether we can reach out to partners in East Ayrshire.

Omicron (Vaccine Procurement)

3. **Fiona Hyslop (Linlithgow) (SNP):** To ask the Scottish Government whether the emergence of the omicron variant has influenced its discussions with the United Kingdom Government regarding the four-nations approach to vaccine procurement, particularly in relation to the Valneva vaccine and any potential need to deploy different vaccine formulations both domestically and internationally. (S6O-00526)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): Information about the protection that vaccines offer in relation to omicron is still emerging. However, we know that boosters will maximise protection.

The Scottish Government will continue to be guided by the expert advice of the Joint Committee on Vaccination and Immunisation and our clinical advisers on the most effective approach to vaccine deployment in the face of the omicron variant, including advice on vaccine types. The UK vaccine task force procures vaccines on behalf of all four nations. We will continue to work within that framework.

As Fiona Hyslop might be aware, this week, with the Minister for Business, Tourism, Trade and Enterprise, I met Valneva to explore how the Scottish Government can continue to support the company's work at Livingston. I put on record that support for Valneva's investment at Livingston is of paramount importance to the Government.

Fiona Hyslop: Crucially, the vaccine that Valneva has developed can be transported and stored at room temperature. In contrast to other vaccines, which target the coronavirus's spike protein, the Valneva vaccine, which is yet to be approved but has had positive stage 3 results, targets the whole coronavirus envelope. Does the cabinet secretary agree that because variants are rapidly spreading globally and we need a strong global—not just national—vaccination programme, those factors might become premium? Will he raise those points in vaccine-order discussions with the UK Government?

Humza Yousaf: Yes, I absolutely will raise those points with the Secretary of State for Health and Social Care and the other nations' health ministers, whom I meet regularly. Fiona Hyslop is absolutely right to refer to the Valneva vaccine's unique characteristics. She is also right to say that it is still pending approval by the Medicines and Healthcare products Regulatory Agency. We look forward to seeing the results of that consideration.

As well as looking for vaccine for domestic uses, Scotland prides itself on being a good global citizen. I know that Fiona Hyslop understands that well. Therefore, we must consider what else we can do with vaccine supplies, particularly for the global south, where far too many of the population remain unvaccinated.

I repeat the point that I made in my opening answer to Ms Hyslop's question. Not only do I, as the Cabinet Secretary for Health and Social Care, remain supportive, but the entire Government remains supportive of the site in Livingston and Valneva's investment in it.

Craig Hoy (South Scotland) (Con): I thank the Government for taking up our policy of mass

vaccination centres. How many centres is the Government seeking to establish? How many sites have been identified? How many contracts or leases have been signed? By what date will all mass vaccination centres be open and administering jabs into people's arms?

The Deputy Presiding Officer: Cabinet secretary, that question is not directly relevant to the initial question, but if there is anything that you can usefully add, I invite you to do so.

Humza Yousaf: Thank you, Presiding Officer. If Craig Hoy was made of chocolate, I am not sure that there would be a crumb of him left, because he would have eaten himself. Nonetheless—

The Deputy Presiding Officer: That is not a response to the question, cabinet secretary. We move to question 4. I call Paul McLennan.

“Open with Care”

4. Paul McLennan (East Lothian) (SNP): To ask the Scottish Government what the latest “Open with Care” guidance is for care homes, in light of the emergence of the omicron variant. (S6O-00527)

The Minister for Mental Wellbeing and Social Care (Kevin Stewart): Information about omicron is still emerging. However, it is vital that visiting continues to be supported so that people who are living in a care home—which is, first and foremost, their home—can maintain contact with loved ones, because that is important for mental health and wellbeing. That will be increasingly important as Christmas approaches so that people, their friends and families can spend time with one another.

In recognition of the importance of visiting, the First Minister, in her statement on 14 December on further protective measures for the general population, indicated that we will continue to support people to connect with their loved ones.

However, it is now recommended that visits be limited to two households per resident at a time, and that all protective measures including testing, hand washing, physical distancing and face masks be utilised to prevent transmission. The protective measures that are in place for care homes, which are greater than those that are in place in community settings, continue to be an important way to safeguard against the spread of Covid-19, including the new omicron variant. I fully expect care homes to support visits. We will keep everything under review as knowledge of omicron continues to emerge.

Paul McLennan: I have been in discussions with the care home relatives Scotland group, which has advised me that interpretation of the guidelines in care homes is wide ranging. Some care homes are bringing in tighter restrictions

already. Are there interim measures that the Scottish Government can take, prior to further consideration of Anne's law, to ensure that no one is denied a visit to a loved one this Christmas as long as it is done within the Scottish Government's guidelines?

Kevin Stewart: Let me make it clear that we expect care homes to continue to support visits, with all the necessary protective measures in place. However, as I said, as an extra precaution we now recommend that no more than two households meet a resident at any one time. That is in line with the guidance for the general population.

We are also asking everyone to test before they visit, and we will issue guidance to care homes asking them to do everything possible to accommodate visits. Care homes that have managed outbreaks should support named visitors to visit. It is vital that everyone works together to enable people to see each other in the lead-up to and over the Christmas period, so that everyone can spend time with others safely and with confidence. I reiterate that we expect care homes to continue to support visits.

Covid-19 Vaccine Roll-out (NHS Lanarkshire)

5. Neil Gray (Airdrie and Shotts) (SNP): To ask the Scottish Government whether it will provide an update on the Covid-19 vaccine roll-out in NHS Lanarkshire. (S6O-00528)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): Our autumn/winter vaccination programme—our booster programme—is leading the way for the rest of the United Kingdom. We are leading the rest of the UK on first, second, third and booster doses, and we are accelerating the programme. We will continue to recruit more vaccinators and bring on board more clinics. For the attention of Craig Hoy, that includes more mass vaccination clinics, and some of those are coming on board later this week.

NHS Lanarkshire has made good progress throughout the autumn/winter campaign, with a peak output of almost 6,000 Covid boosters per day, which has resulted in 77 per cent of the over-50 population having had a booster. NHS Lanarkshire has delivered 43.8 per cent of booster or third doses to those over the age of 12. I will continue to report regularly to Parliament on the progress of the booster programme across Scotland.

Neil Gray: I thank everyone in our national health service, and the volunteers, who are delivering the fastest vaccine roll-out in the UK, which is even more important given the new omicron threat.

Can the health secretary advise us what health boards can do to deliver booster vaccines at home as fast as possible for those who need them? As he will know from my correspondence with him, some of my constituents have not been able to make appointments as quickly as others who live locally.

Humza Yousaf: Yes, I completely understand the point that Neil Gray is making. Naturally, as a cohort, housebound patients take longer to get to, so we cannot get through them as quickly as we would like to, but Neil Gray has done the right thing to correspond with me. In turn, I will correspond with the local health board to ensure that those individuals, who are often very vulnerable and not as mobile as the rest of the population, get their boosters as quickly as the rest of the population.

Paul O’Kane (West Scotland) (Lab): I associate myself with the comments about our fantastic vaccination staff, but I have spoken to constituents who had an appointment for their booster at the central mosque in Glasgow at 7.30 pm last night but, on arrival, were turned away and told that nobody would be vaccinated after 7.30, whether they had an appointment or not. Many people are scheduling appointments in the evening, because of childcare or work commitments so, given the speed that we require with regard to omicron, it is imperative that all appointments are fulfilled. Will the cabinet secretary look at that instance urgently and explain how capacity will be increased across board areas?

Humza Yousaf: Of course, I will look at that. Glasgow has increased the number of vaccinators by about 200 in the space of a fortnight, so more and more appointments are coming online. Those issues are unfortunate, and I always regret instances of people being turned away. That should not be happening, so I will look at the case that Paul O’Kane mentioned. In his question, he recognised that Scotland’s vaccination programme is a huge success, but we need to ramp it up and accelerate it over the coming weeks. I will look at the case that he referenced and feed back to him directly.

The Deputy Presiding Officer: Stephanie Callaghan, who joins us remotely, has a brief supplementary question.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): NHS Lanarkshire recently urged the public to familiarise themselves again with the wide range of local NHS services, because 10 per cent of those who attend accident and emergency are sent home with self-care advice or referred to other services. What further steps can the Scottish Government take to encourage people to access

other services and minimise the pressures on A and E?

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

Humza Yousaf: I think that this is question 6—

The Deputy Presiding Officer: It is a supplementary question to the earlier question from Neil Gray.

Humza Yousaf: Forgive me, Presiding Officer. I thought that it was the next question—

The Deputy Presiding Officer: You might need to write to Stephanie Callaghan.

Humza Yousaf: Yes, I will write to Stephanie Callaghan.

The Deputy Presiding Officer: That would be helpful.

Free Dental Care

6. Kaukab Stewart (Glasgow Kelvin) (SNP): To ask the Scottish Government what measures it is taking, including any that may be funded through its budget, that will help deliver free dental care during the current parliamentary session. (S6O-00529)

The Minister for Public Health, Women’s Health and Sport (Maree Todd): As a first step to delivering our manifesto commitment to remove dental charges in this parliamentary session, we abolished charges for all young people under the age of 26 from August 2021. We are also determined to support the profession and ensure that dentists remain in practice, following disruptions to services during the Covid-19 pandemic. Our budget for 2022-23 delivers an unprecedented 9 per cent increase for general dental services, which will support the continued recovery of national health service dental services while we begin on the delivery of significant reforms, with the manifesto commitment as the centrepiece.

Kaukab Stewart: I think the cabinet secretary for that response. Having been contacted by my constituents in Glasgow Kelvin about their concerns over limitations on accessing emergency dental provision, I would like to know what discussion and actions the Scottish Government is undertaking to safeguard access to emergency dental provision in the face of challenges from omicron and other variants.

Maree Todd: I thank the member for that wee promotion to cabinet secretary, although I am not sure that I would be thankful for that right now.

We have written to members of the profession to update them with regard to providing access to care over the winter period. Urgent patients will

continue to be seen by their local dentist, when it is safe for that to happen using the personal protective equipment that continues to be provided by the Scottish Government at no cost to the sector. We have also instructed health boards to ensure that they have sufficient capacity to see emergency cases if local practices are unable to do so. Those measures will support patient access to critical care in the coming months.

Sandesh Gulhane (Glasgow) (Con): A dentist with 30 years of experience contacted me to explain how NHS dentistry is not paying the bills, despite current levels of Covid funding. He sees 25 patients a day and is booked out until March next year, but he has had to take on two additional part-time jobs to make ends meet. His is not an isolated case—for many dental practitioners, NHS dentistry is not viable, with a 30 per cent cut in taxable income for principals and associates since 2008-09.

The British Dental Association estimates that it will require at least—

The Deputy Presiding Officer: Question, please, Mr Gulhane.

Sandesh Gulhane: The British Dental Association estimates that it will require at least a 30 per cent increase in dental tariffs as an interim measure. Is the minister willing to increase the tariffs by 30 per cent to sustain services at this critical time?

Maree Todd: I assure the member that, this year, the dental profession is receiving an unprecedented level of increase. It is an extremely difficult situation for dentists while their capacity is constrained by infection protection control measures, but we have supported them throughout the pandemic, and we continue to support them in order to recover NHS dental services. It is essential that we focus on recovery before reform, but we are eager and keen to look at reforms and have further discussions with the dental profession in the future.

Jackie Baillie (Dumbarton) (Lab): Dentists tell me that there is a two-year treatment backlog, so I am glad that the minister is willing to consider reform. Many dentists are seeing patients privately, such is the demand. What is the Scottish Government doing to prevent privatisation by the back door, and will the minister agree to meet me and representatives of the Scottish Dental Association to respond to its proposal for a review of the value and reimbursement structure for the whole dentistry team?

Maree Todd: I can confirm that, in recent months, we have seen a substantial increase in the level of activity—the number of patients who are seen in NHS dental settings. Therefore, the situation is improving, although the recent turn of

events with the pandemic will undoubtedly cause further challenge. However, I very much welcome that improvement.

Dental activity is being closely monitored on a month-to-month basis, and, as I have set out many times in the chamber, we have given a great deal of financial support to the sector. I am always happy to meet Jackie Baillie in order to navigate our way through this challenging time, and consider how we respond to the needs of the sector and our ambitions for NHS dental care in Scotland.

Health and Social Care

7. Evelyn Tweed (Stirling) (SNP): To ask the Scottish Government what assurances it can offer to people that health and social care services are being supported during the on-going pandemic. (S6O-00530)

The Minister for Mental Wellbeing and Social Care (Kevin Stewart): In August, the First Minister launched the national health service recovery plan in response to pressures on NHS services caused by the pandemic over the past 18 months. The plan sets out key headline ambitions and actions to be developed and delivered now and over the next five years. That is backed by more than £1 billion of investment over the next five years, of which £80 million has already been invested this year alone to support NHS boards to target the backlog of treatment and care. Although it is important to stress that recovery is the immediate task, the plan is fundamentally about ensuring that the recovery process delivers long-term sustainability and alternative pathways of care that allow people to be treated more quickly and closer to home.

Evelyn Tweed: Social care services in Stirling and across Scotland are working hard to deliver quality care for some of our most vulnerable citizens. However, it is clear that the continuing effects of the pandemic and Brexit are weighing heavily on staffing. That has resulted in many key stakeholders expressing interest in the Scottish Government's proposals for a national care service. Will the minister share what next steps will be taken to progress that important work?

Kevin Stewart: I agree with Evelyn Tweed that the pandemic and Brexit are having a major effect on staffing in many parts of the country. In some parts, the extent of staff loss due to Brexit is great—one service told me that it has lost 40 per cent of its staff due to Brexit.

On the question of next steps, I thank everyone who took part in the national care service consultation. Around 3,000 people took part in more than 100 engagement meetings, and we received around 1,300 written responses. The

responses are now being analysed, and we will publish that analysis in the new year. We will then carefully consider all the views that were expressed through the consultation to develop and prepare a programme road map to share with Parliament, stakeholders and citizens. We are also—

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

Kevin Stewart: We are fully committed to the co-design of the future national care service, putting people with lived and living experience at the heart of that design.

Rural Healthcare Services

8. Emma Roddick (Highlands and Islands) (SNP): To ask the Scottish Government what it is doing to ensure that healthcare services in rural areas are working for the people that they serve. (S6O-00531)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): We aim to ensure that we have equitable, high-quality health services available to everyone in Scotland, including those who live in remote and rural areas. We continue to evolve health and care services through developing new treatments and technologies to meet demand and to deliver the best patient outcomes. That includes our commitment to create a centre of excellence for rural and remote medicine and social care. Our health and social care partnerships across Scotland play a key role in supporting national health service boards to work with communities and stakeholders on designing services according to the needs of local populations.

Emma Roddick: I thank the cabinet secretary for his detailed answer. Is the Scottish Government encouraging and supporting the Scottish Ambulance Service's patient transport service to make use of alternative types of vehicle, such as SUVs, for patients with mobility needs in rural areas in order to free up ambulances for those who need them?

Humza Yousaf: Yes—that was part of a package of measures for the Scottish Ambulance Service that I announced earlier this year. The member will know that the patient transport service has two components: the blue-light vehicle fleet and the patient transport fleet. When patients qualify for transportation to a healthcare setting, they are allocated a seat on a patient transport vehicle that is designed for use by people with mobility needs.

The service's patient needs assessment determines their requirement for support. If the patient requires mobility and clinical support, that is managed by the Ambulance Service. However,

if it is deemed that only transport is needed, the service will signpost the patient to one of its agreed alternative transport providers or, indeed, Traveline Scotland. For those on low incomes, health boards can also provide financial reimbursement for taxi journeys to appointments.

The Deputy Presiding Officer: Very briefly—Foysoil Choudhury.

Foysoil Choudhury (Lothian) (Lab): Cabinet secretary, a large number of my constituents have contacted me to say that they have still not received their Covid-19 booster shot, despite being over 75 years of age. There is also a clear lack of availability of appointments in my region, with many people also unable to book online for their flu shot.

Many of my constituents in the Lothians want to celebrate Christmas with their families safely. What extra provision is the Scottish Government making to ensure that everyone who is entitled to a shot gets a shot, especially those people in rural areas?

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

Humza Yousaf: Our booster and flu vaccination programmes are going extremely well. Where there are anomalies, particularly involving older people, who we know are at higher risk of severe illness from Covid and at higher risk from flu, or instances in which people are unable to get an appointment, as Mr Choudhury has referenced, I am happy for him to write to me with the details and I will raise that the local health board.

The Deputy Presiding Officer: Thank you very much. I apologise to Karen Adam, whom I was unable to call, but we need to move on.

Social Justice, Housing and Local Government

The Deputy Presiding Officer: I again remind colleagues who wish to ask a supplementary to any of the questions to press their request-to-speak button or place an R in the chat function during the relevant question.

Food Banks

1. Siobhian Brown (Ayr) (SNP): To ask the Scottish Government what its response is to the latest Trussell Trust food bank statistics in relation to Scotland. (S6O-00532)

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): The statistics show that Scotland is the only area of the United Kingdom to see a marked reduction in the number of emergency food parcels, with a 25 per cent reduction between April

and September compared with 2019. However, no one should have to rely on charitable food provision, and we are currently consulting on a national plan to end the need for food banks as a primary response.

The Government's human rights approach means that we promote a cash-first response to hardship and, as we have seen in our budget, we are focused on boosting the incomes of low-income households, which is key to decreasing the need for food banks.

Siobhian Brown: Scotland is the only area in the UK that has seen a marked decrease in the number of emergency food parcels in the past six months, as the cabinet secretary has just noted. That has been credited to the Scottish child payment, which was introduced by the Scottish Government.

In a damning report that was released on Monday, the New Economics Foundation says that the poorest half of families are worse off since Boris Johnson came to power, while the richest have seen their income boom. Does the cabinet secretary think that that shows a tale of two Governments and that, while the Scottish Government doubles the Scottish child payment, the UK Government cuts universal credit by £20—

The Deputy Presiding Officer: I call the cabinet secretary.

Siobhian Brown: —from those who really need it the most?

Shona Robison: I think that Siobhian Brown makes an important point. UK Government welfare cuts are driving hardship and pushing people to food banks. Its punitive approach takes money out of the pockets of those who can least afford it. That includes the deeply concerning cut to universal credit, which represented the biggest single cut to welfare in 70 years.

The Scottish Government's doubling of the Scottish child payment to £20 from April 2022 is among the ways in which we have shown leadership that the UK Government simply has not shown. It is time that it matched our ambition in tackling child poverty.

Social and Affordable Housing (Perthshire South and Kinross-shire)

2. Jim Fairlie (Perthshire South and Kinross-shire) (SNP): I thank the Presiding Officer for his patience with my late arrival to the meeting.

To ask the Scottish Government what further support it will make available to help Perth and Kinross Council improve the availability of social and affordable housing in the Perthshire South and Kinross-shire constituency. (S6O-00533)

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): Since 2007, we have delivered more than 105,000 affordable homes, including 2,343 in Perth and Kinross. As part of our commitment to deliver a further 110,000 affordable homes by 2032, last week's budget confirmed an increase in the affordable housing programme of a further £174 million in 2022-23. Over the past five years, Perth and Kinross has received more than £77 million in grant support from the affordable housing supply programme, which has helped the delivery of 963 affordable homes. During this parliamentary session, Perth and Kinross will benefit from investment of more than £86 million, which will go towards the delivery of more good-quality, affordable homes.

Jim Fairlie: As the cabinet secretary has just stated, a number of significant developments and refurbishments in my constituency, including at Huntingtower and Newhouse Road, have taken place through the efforts of various partnerships and projects, local housing associations and, of course, the Scottish Government.

However, does the cabinet secretary agree that the biggest boost to council house building that the country has seen this millennium was the reversal of the Tory policy from the 1980s that started the selling off of the best council housing stock, with no provision at all for rebuilding houses or cancelling the housing debt?

Shona Robison: Yes, I would agree with that. Scotland has led the way in the delivery of affordable housing across the United Kingdom. In 2009, we reintroduced grant funding for council house building, which has supported the delivery of more than 16,000 council homes across Scotland. By ending the right to buy, we have also protected existing social rented homes and prevented the sale of up to 15,500 houses over a 10-year period.

The Deputy Presiding Officer: Miles Briggs has a supplementary question.

Miles Briggs (Lothian) (Con): The allocation of funding for affordable housing projects has not been equal. For example, Edinburgh received 7.3 per cent of the total budget, although it has 8.8 per cent of the whole population—

The Deputy Presiding Officer: I am afraid, Mr Briggs, that the question is about the Perthshire South and Kinross-shire constituency. Unless your question is relevant to that, I think that you will struggle to—

Miles Briggs: It is relevant, with regard to the affordable housing budget.

The Deputy Presiding Officer: Complete the question, but I think that it strays a little far for a supplementary.

Miles Briggs: Given that differentiation in the allocations, does the cabinet secretary believe that the cut in the housing budget will have an impact as well?

Shona Robison: There is no cut in the housing budget—the housing budget is going up. Edinburgh will be receiving more money through the affordable housing supply programme than it has in previous years. That surely should be welcomed by everybody across the chamber.

Social Housing

3. Stuart McMillan (Greenock and Inverclyde) (SNP): To ask the Scottish Government what consideration it has given to allowing registered social landlords to purchase properties from home owners who would like to remain in their homes but become social housing tenants. (S6O-00534)

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): I am actively considering the implications of enabling support to be provided through the affordable housing supply programme to facilitate such purchases, where social landlords wish to make them. There are a number of considerations to be taken into account to ensure that any funding that is offered does not impact on other support that might be available for owners.

I would encourage home owners who are having financial difficulty to seek advice as soon as possible, as there is support available that they may be able to access, including our home owners support fund.

Stuart McMillan: The cabinet secretary will be aware that I have written to her about the Inverclyde acquisition programme. Registered social landlords in my constituency have asked for the existing policy to be amended, as it allows them only to purchase properties on the open market. They would like an option for properties to be transferred from private ownership to social housing, with the owner-occupier moving to become a tenant. That would relieve the tenant of the maintenance burden, but would allow them to continue to live in their home. That could help RSLs to bring properties with maintenance challenges up to standard, and would be beneficial for RSLs and prospective new tenants. Can the cabinet secretary confirm whether she has engaged with RSLs in Inverclyde on the issue? Will she provide details of any plans to change the policy?

Shona Robison: We have agreed with the council and RSLs in Inverclyde an acquisition

programme that will make around £1.35 million available in the current financial year to enable the purchase of up to 50 properties on the open market. I am aware of the situation that the member highlights. As I have just mentioned, the implications of the suggested change for other policy areas are being examined, including those involving the provision of support to home owners. Of course, local authorities can assist homeowners who need to carry out repairs through the scheme of assistance. I am happy to keep the member informed about that.

The Deputy Presiding Officer: I call Miles Briggs. Second time relevant, Mr Briggs.

Miles Briggs (Lothian) (Con): Ministers have previously said that they would look to develop plans with local authorities to help to purchase empty homes. How many such purchases have actually been completed?

Shona Robison: The empty homes option is a good one. A number of empty homes have been purchased and brought back into use following repairs. I do not have the figure to hand, but I am happy to write to Miles Briggs to make him aware of it. We can do more on empty homes. Of course, we fund empty homes officers so that local authorities can look at the opportunities in their areas to bring more empty homes back into circulation. I am happy to provide the figure to Miles Briggs in due course.

Local Government Services (Argyll and Bute)

4. Jenni Minto (Argyll and Bute) (SNP): To ask the Scottish Government how it works with Argyll and Bute Council to support the delivery of local government services across the area's islands and remote peninsulas. (S6O-00535)

The Deputy Presiding Officer: The minister, Ben Macpherson, joins us remotely.

The Minister for Social Security and Local Government (Ben Macpherson): Ministers and officials regularly meet representatives of all Scottish local authorities, including Argyll and Bute Council. Our island local authority partners are key stakeholders in how we develop and deliver islands policy. We regularly engage through the islands strategic group and national islands plan delivery group to identify and collaborate on issues facing our island communities.

Jenni Minto: Employment is integral to supporting the delivery of local government services across Argyll and Bute. Will the minister therefore provide an update on the work of the Campbeltown economic summit, which was convened following the closure of the wind tower factory and the town's creamery?

Ben Macpherson: Following the most recent Campbeltown economic summit, work has continued with partners on the Kintyre action plan, led by Highlands and Islands Enterprise. The aim of the summit was to identify and support new business and employment opportunities, including in the space, hydrogen and whisky sectors. Future options for the CS Wind facility are being considered with the administrators of CS Wind UK. Pending the outcome of the administration process, further stakeholder meetings will be scheduled in early 2022.

We continue to support and diversify the region's economy. We have committed to investing up to £25 million in the Argyll and Bute growth deal to deliver a range of strategic projects that will create jobs and maximise the region's future economic potential, with a focus on aquaculture and tourism. We hope to sign the full deal for Argyll and Bute next year.

The Deputy Presiding Officer: Question 5 was not lodged.

Tenant Support (West of Scotland)

6. Paul O'Kane (West Scotland) (Lab): To ask the Scottish Government how many tenants in the west of Scotland have used the tenant grant fund and tenant hardship loan fund. (S6O-00537)

The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights (Patrick Harvie): A specific regional breakdown for the west of Scotland is not information that we hold. However, as of mid-November, 233 tenant hardship loans had been awarded totalling £615,614, and a further 12 loans had been offered with a potential award value of £38,608.

Councils are administering the tenant grant fund, and they will report progress to the Scottish Government quarterly. The first report is due by the end of this month. It will set out the number and level of grants that were issued, whether those paid the arrears in full or partially, and how many tenancies were sustained at the time.

Paul O'Kane: In the light of the Government's refusal to continue the ban on evictions and of the ramifications of that, which we are now seeing—as was predicted by many Labour members and many people in the housing sector—and given the removal of any financial support for people who are in trouble with arrears, and indeed the effects of the pandemic, which are clearly very far from over, what is the Government's plan to support people who are in arrears to stay in warm, safe and affordable homes?

Patrick Harvie: The member will be aware of the range of work that we are undertaking, including through the coronavirus legislation, to extend some of the measures that were brought in

during the pandemic. There is also the work on the rented sector strategy, on which I will be saying more next week, which includes the commitment to act on winter evictions. I hope that the member is supportive of that agenda.

He will be well aware that grant and loan funds are not the only action being taken on funding. I could also mention the wider £38 million package of support that was brought in during the pandemic, the discretionary housing payments, which are worth £82 million this year, and a great deal else besides. I hope that the member will engage constructively with that agenda.

Evelyn Tweed (Stirling) (SNP): Will the minister outline how the new Scottish budget will help to prevent homelessness?

Patrick Harvie: Yes, indeed. There is a great deal in the Scottish budget to take forward such work, including the £23.5 million homelessness support fund to local authorities and the £10 million that is available from the ending homelessness together fund, which will build on the significant progress that was made in the past year as part of an overall £100 million investment in the course of this parliamentary session. There is also substantial investment in the provision of new affordable homes; there is the work that I mentioned before that is being funded to develop and then implement the rented sector strategy; and £80 million is available for discretionary housing payments.

Fuel Poverty (Rural and Remote Areas)

7. Donald Cameron (Highlands and Islands) (Con): To ask the Scottish Government how its housing strategy is supporting action to prevent fuel poverty in households in rural and remote areas. (S6O-00538)

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): Our ambition is for everyone to have access to a safe, warm and affordable home. We provide support to fuel-poor households through our heat in buildings programme, and we are determined to address the higher levels of extreme fuel poverty that are found in many of Scotland's remote and rural areas. By the end of 2021, we will have allocated more than £1 billion since 2009 to tackle fuel poverty and improve energy efficiency. Since 2013, more than 150,000 homes throughout Scotland have benefited from our home energy efficiency programmes. We will continue to fund Home Energy Scotland to provide free and impartial advice on how to make homes warmer and cheaper to heat, and we will publish our fuel poverty strategy later this month.

Donald Cameron: Some 43 per cent of homes in the Western Isles are estimated to be in fuel

poverty, which is almost double the national average. It is a crisis that has been exacerbated following the recent loss of two meter readers, meaning that more household bills are worked out by higher price estimates. Given that the Government has set a target to reduce the number of homes that are in fuel poverty nationally to 5 per cent by 2040, how, specifically, will it support island communities such as the Western Isles to meet that target?

Shona Robison: I recognise some of the challenges that Donald Cameron has mentioned. We are incorporating adjustments to the UK minimum income standard element of the fuel poverty definition to take account of the generally higher cost of living in Scotland's remote, rural and island communities. Through our energy efficiency schemes, we are already spending more per head on energy efficiency in remote and rural areas, where we know installation and labour costs are higher, and our warmer homes Scotland scheme has introduced additional renewable and enabling measures, including ground-source heat pumps and micro-wind and micro-hydro systems, which will be of particular benefit to households that live off the gas grid. We recognise those challenges, and they will be covered in the forthcoming fuel poverty strategy.

Ariane Burgess (Highlands and Islands) (Green): Given that the Scottish Government has committed to a remote, rural and islands action plan, backed by a £50 million fund, in what ways is the Government drawing on lessons from previous programmes—specifically, on what worked and did not work? In what ways can housing enablers and community trusts with lived experience feed into the development of the remote, rural and islands action plan?

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

Shona Robison: In all of those things, the role of community trusts is important, and so is the role of local authorities, of course.

Councils that serve rural and remote island communities can now provide to those in extreme fuel poverty grant in aid worth up to £14,000, which is up from the previous maximum of £9,000. Those councils can also apply for higher maxima of £8,000 of grant in aid for zero or low-carbon heating measures.

I will write to the member with more details in response to her question.

Convention of Scottish Local Authorities

8. Craig Hoy (South Scotland) (Con): To ask the Scottish Government when it last met with the Convention of Scottish Local Authorities—COSLA. (S6O-00539)

The Minister for Social Security and Local Government (Ben Macpherson): The Scottish Government engages regularly with COSLA representatives to discuss a wide range of issues as part of our shared commitment to work in partnership with local government to improve outcomes for the people of Scotland.

I last met COSLA on 18 November to discuss social security with Councillor Kelly Parry, and I am meeting the COSLA presidential team on 16 December, which is tomorrow.

Craig Hoy: COSLA has noted that the Scottish National Party will cut its allocation to Scottish councils by £280 million in real terms next year. As the Government's assault on local government finances intensifies, what would the minister advise town halls to do next April: slash services or hike the council tax?

Ben Macpherson: I note Mr Hoy's service as a councillor, and I wonder whether he might want to point that out.

It would be helpful for the Parliament to note that table 5.16 in the Scottish budget document includes additional funding of more than £1.3 billion—currently held in other Scottish Government portfolios—which will be added to the local government settlement in year.

Taken together with the funding that is included in table 5.13 in the budget document, the total funding package for 2022-23 is more than £12.5 billion, providing an additional £917.9 million, which is a real-terms increase of 5.1 per cent.

Kenneth Gibson (Cunninghame North) (SNP): Following last week's budget statement, Douglas Lumsden said that local government should be "properly funded". Concern from the Tories is touching, given that they have financially eviscerated council budgets in England over the past decade. Have they said at any time how much the proper funding of local government should be and where resources should come from to meet their demands, or are we expected to guess?

Ben Macpherson: Mr Gibson makes an important point. The Conservatives are keen to criticise the Scottish Government's budget decisions, but they rarely come up with any solutions, whether on changing spending priorities or taxation changes, or by pressing their colleagues in Westminster for action at United Kingdom level, with the vast amount of tax powers that the UK Government has that the Scottish Government does not.

It is important to point out, in comparison, that local authorities in Scotland have largely been protected from the savage budget cuts that counterparts in England and Wales have seen,

although local government funding is not wholly comparable. As I said, there will be a real-terms increase to local authority budgets for the coming year of 5.1 per cent.

I refer to my supplementary answer to Mr Hoy.

The Deputy Presiding Officer: I have said previously and will say again that it is pretty futile to heckle a person who is appearing on a screen.

That concludes portfolio questions.

Craig Hoy: On a point of order, Presiding Officer. In my enthusiasm to ask the minister a question, I omitted to refer to my entry in the register of members' interests, which draws attention to my position as a councillor in East Lothian.

The Deputy Presiding Officer: That is now on the record, Mr Hoy.

Dalzell Historical Industrial Transaction

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Ivan McKee, who will give an update on the Dalzell historical industrial transaction. The minister will take questions at the end of his statement, so there should be no interventions or interruptions.

14:49

The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee): In 2016, faced with the potential permanent closure of the last remaining steel plant in Scotland and the loss of hundreds of highly skilled jobs, the Scottish Government took action to support the purchase of the rolling mills at Dalzell and Clydebridge.

Many members will remember that Longs Steel had owned the businesses and that Tata Steel UK had taken them over from Longs. Following difficulties because of energy prices and feasible margins, Tata Steel UK mothballed the plants in 2015 and it was looking for an alternative operator for the business.

To facilitate the sale and ensure the continued operation of such an important industrial asset for Scotland, the Scottish Government took ownership of the business for a short period of time while it transferred from Tata Steel UK to Liberty House Group, which is part of GFG Alliance and which continues to operate the rolling mill to this day.

The transaction that took place back in 2016 was a unique and unprecedented economic intervention by the Scottish Government. The agreement to facilitate the transaction was concluded over a period of days in March 2016 while Parliament was in the pre-election recess. In my statement today, I will provide a point of clarification about one aspect of the agreement between the Scottish Government and Tata Steel UK. Before I do so, however, I will provide some further background to the transaction.

Earlier, the employees of the rolling mills in the Lanarkshire steel communities had left their work to start the Christmas holidays in the knowledge that they had been made redundant going into January 2016 and that the prospect of a future for the steel industry in Scotland was looking very bleak. Only a handful of people remained in the plant for health and safety reasons.

There had been excellent collaborative work from members across the Parliament, trade unions and local authorities to support the steel task force. Despite the apparent lack of investors in the Scottish steel plants, the steel task force

committed to leaving no stone unturned to find a positive outcome and avoid the potential demise of the Lanarkshire mills.

Currently, around 140 people are employed at Dalzell and Clydebridge. The Scottish Government's intervention resulted in the continuation of steel production and skilled employment at Liberty Steel Dalzell. A detailed and complex negotiation led to the transfer of the ownership of the plants to a business that has since supported the workforce and ensured the continued manufacturing of high-quality steel slab products from the Lanarkshire rolling mill.

The matter that I bring to Parliament today concerns one particular point in the contract. I wish to explain the issue and the work that the Scottish Government is doing to clarify it with the businesses that are involved, and importantly to assure the people of Scotland and the Parliament that the decision to facilitate the continued manufacturing of steel in Scotland was the correct one.

The steel industry across the United Kingdom and globally has faced many challenges in recent years. As was set out in Parliament on 24 March 2021, the collapse of the Greensill Capital finance house, which was a major financier of the GFG Alliance, highlighted a risk to the steel industry in Scotland.

During 2021, ministers have advised the Parliament of our continued work to retain and support the economic opportunities that the Lanarkshire steel mills provide. I have met local elected members to keep them informed of the work that is being done to protect the steel industry in Scotland. Officials have been working to better understand the Scottish Government's position in respect of the GFG Alliance, as would be expected given the jobs that are at stake and the support that has been provided to it. It was during a detailed review of the previous transaction to inform the contingency work that officials discovered a detail that would need to be considered by the companies that are involved.

It is important to note that, although there is ongoing monitoring of the situation across the current business in Scotland, we are aware that the United Kingdom Government has also been active as part of the wider GFG Alliance activity at the larger plants in other parts of the UK. There has not been a request for support from the GFG Alliance. The business in Scotland continues to operate and produce under challenging circumstances, which is a credit to the Scottish workforce.

On 24 March 2016, Tata Steel UK and Liberty House agreed that the Scottish Government would act as an intermediary between the companies

and facilitate a sale of the plants by Tata Steel UK to the Scottish Government, which would immediately sell the sites to Liberty House. We are advised that there is one specific part of the contract arrangement that has arisen during our contingency work that may not comply with state aid rules. The clause in question granted an enduring indemnity from the Scottish ministers to Longs Steel, whereby the Scottish ministers would be liable to cover the cost of certain liabilities arising from Tata Steel's ownership of the Lanarkshire plants.

It is important to ensure that the Parliament is aware that there has been no call on that indemnity to date, and that the circumstances in which it would be called upon are, in our view, unlikely to materialise. At the time of the deal, a parent company guarantee was signed with Liberty House, which meant that, if the part of the company at Liberty Steel Dalzell ceased to exist, the liabilities would pass to the wider group. However, I reiterate that our contingency planning and recent reports on the wider group have highlighted that the Lanarkshire plant is operating well, considering the current conditions that it has faced.

If the wider group fails to exist and the site is to be repurposed for a different use, some of those liabilities—liabilities for environmental remediation—may then crystallise to the current operator and any previous operators of the site. Many varying factors would need to arise before such a scenario would come to fruition, but it was imperative that, having identified that the clause in question was no longer valid, I made the relevant business and the Parliament aware of the situation.

In addition, the Parliament will want to note that no money has been paid or will be paid under the contract by the Scottish Government beyond the £1 that was paid to purchase the business, which was immediately recouped upon its sale.

In 2016, the contractual negotiation proceeded at pace in a highly pressured commercial environment, with our aim being to save a totemic Scottish industry—an aim in which we were successful. It was not our intention to sign up to a contract clause that might not comply with state aid requirements. The conclusion that was reached on state aid, based on advice at the time, was different from what I have outlined today, and we decided that we were able to proceed with the transaction.

As members around the chamber would expect, we have informed Tata Steel, and we have ensured that it has been provided with notice of this statement, to allow it to consider any commercial implications for the business. We also needed to ensure that Tata Steel, as a global

business, had time to notify its head office in Mumbai. It is understandable that it will need time to reflect on and consider its position. We will continue to have supportive dialogue with Tata, and the company has access to our officials as it requires.

We have also formally informed Audit Scotland, and we will take steps to communicate with Liberty Steel UK and the European Commission through the relevant United Kingdom Government department.

In summary, the detailed analysis of commercial interventions that is now taking place demonstrates that the Scottish Government will always do its very best to ensure that any agreements that we enter into are the right ones. My officials will work with stakeholders to go into further detail and analyse any lessons that should be learned.

I opened my statement by acknowledging the collective efforts that were made across the Parliament back in March 2016 to ensure that steel communities in Scotland had a future. Today, high-quality steel products continue to be produced in Lanarkshire. Skilled manufacturing employment continues, which would not have been the case without our intervention. It was our assessment at the time that our intervention was the best way to ensure the reopening of the plants, to secure a key Scottish industrial asset for the future and to ensure that Scotland's steel industry did not fall silent.

The Deputy Presiding Officer: The minister will now take questions on the issues that were raised in his statement. I intend to allow around 20 minutes for that, after which we will move on to the next item of business. I would be grateful if members who want to ask a question could press their request-to-speak buttons or, if they are joining us remotely, place an R in the chat function.

Jamie Halcro Johnston (Highlands and Islands) (Con): I thank the minister for advance sight of his statement.

In this parliamentary session and in the previous one, I have questioned ministers about transparency regarding the Scottish Government's exposure in the form of guarantees and support to the GFG Alliance. We have seen the extended attempts by the *Financial Times* newspaper to access figures, which it should have been relatively straightforward for the Government to provide, on the taxpayer's exposure relating to the Lochaber operations, which we discovered amounted to a sum of some £586 million.

From today's statement, the Scottish Government appears to have been unaware of its commercial exposure to the operations in

Lanarkshire. It has been advised that its arrangements, which were rushed through ahead of the elections in May 2016, with the Parliament unable to scrutinise the deal but ministers able to make political capital out of it, may be unlawful.

When was the Scottish Government first advised that its agreement might not comply with state aid rules? How much of the potential liabilities is the Scottish Government exposed to in the deal, and how long will those exposures remain?

For the chamber to have any confidence in the transparency or even clarity of the Scottish Government's agreements, will the minister agree to full transparency in relation to the Scottish Government's relationship with GFG Alliance and commit to making available to MSPs any information relating to those agreements?

Ivan McKee: The first point to make is that there are no exposures to the Scottish Government as a consequence of what I have outlined today. The second point is that we are, of course, committed to full transparency within the limits of legal advice and commercial sensitivity and will continue to be so. The third point to make is that the statement that I made today has no bearing on Lochaber, which was a completely separate transaction.

I also make the point that the number that Jamie Halcro Johnston quoted with regard to Scottish Government exposure is more than covered by the assets that the Scottish Government has security for in relation to Lochaber. He will be well aware of that, because that information has been made available. There is therefore no exposure to the Scottish Government with regard to that transaction either.

Jamie Halcro Johnston: Answer my questions.

Ivan McKee: The final point that I will make is that, although the Scottish Government moved the transaction through at pace in March 2016, it was not—as the member perhaps implied—as a consequence of the election timetable. Rather, it was absolutely as a consequence of our needing to move fast to secure that commercial deal to save those jobs. It was about the commercial reality that we faced at that time. Frankly, we are proud that we did that in order to save those jobs and the Scottish steel sector. It was the right decision at that time and it continues to be so. There is still a steel sector in Scotland and people are still employed in highly skilled jobs in that sector in Scotland. As I made clear, there is no exposure to the Scottish Government as a consequence of my statement today or the actions that we took at that time.

The Deputy Presiding Officer: I encourage members to ask their question and then to listen to the response.

Daniel Johnson (Edinburgh Southern) (Lab): I note that, Presiding Officer.

I remind the chamber of my entry in the register of members' interests, as I am a member of Community, which is the trade union that represents steel workers. I, too, thank the minister for advance sight of his statement.

Despite the Government's acknowledgement that it broke the law, is it the case that there is no implication for the security of the 140 jobs on that site? That is perhaps the most important question.

From one former business person to another, can we perhaps put this into plainer terms? What are we talking about? Is the Government saying that, if GFG and Liberty House were to collapse, it would have to pay the clean-up costs? If so, what would that bill be? The clean-up cost for Ravenscraig was £70 million, 20 years ago. Given that it has written this indemnity, for which there is theoretical liability, is there any obligation whatsoever for Tata to rescind that? Although the Scottish Government may have broken the law, there is no obligation on Tata to let it off the hook, is there?

Finally, I will ask about process. When did this come to light? I do not believe that the minister answered that important question from Jamie Halcro Johnston. How is it possible that such an important deal could have got through Government due diligence without the fact that it breaks the law being spotted?

Ivan McKee: I am sorry about the timing point—Jamie Halcro Johnston asked a number of questions.

We have been looking at the matter through the course of the past month, as a consequence of GFG's evolving situation, in order to understand what we may need to do in relation to being involved to save those jobs, should a difficult situation transpire.

As I said in my statement, it is all credit to the workforce at the site that the plant continues to operate successfully in the face of significant challenges. A very complex situation has had to be worked through and advice has had to be taken as to the situation with regard to where we are just now. That process has been worked through and, as we have achieved clarity on the situation and taken the relevant advice, we bring forward this statement to provide transparency to the Parliament and others as to the current situation.

In relation to liability, the whole point of the statement is to say that, as a consequence of the current position, there is no liability to the Scottish

Government. I made that very clear in my statement.

The Deputy Presiding Officer: Clare Adamson joins us remotely.

Clare Adamson (Motherwell and Wishaw) (SNP): As a member of the steel task force, which was, of course, a cross-party endeavour, I am aware how vital it was to save the jobs at the steel mills at Dalzell and Clydebridge. Steel making is synonymous with my constituency of Motherwell and Wishaw. What impact, if any, will the substance of the statement have on the on-going Liberty Steel operations at Dalzell and Clydebridge and the 140 jobs that are still protected by the deal that the Scottish Government made?

Ivan McKee: As the member is aware, 140 people are employed at the site, and those jobs would not exist if the Scottish Government had not intervened and protected the sector, and there are many jobs in the supply chain and the wider community that are supported as a direct and indirect consequence of that. The statement today makes absolutely no impact on those jobs; they will continue as long as the plant continues to operate.

As I said, officials and I work closely and regularly with the business, local members, trade unions and others to understand the latest position. The business continues to operate successfully and the Scottish Government has been very engaged to understand what we need to do to ensure that that continues to be the case, because we are committed to the sector in Scotland.

For clarity, today's statement will have no impact on that situation.

Tess White (North East Scotland) (Con): In the statement, the minister said that Scottish Government officials

"will work with stakeholders to ... analyse any lessons that should be learned."

Given the lack of transparency around the agreement, can the minister confirm which stakeholders will be involved in the process and whether the findings will be shared fully and expeditiously with the Parliament and the wider public?

Ivan McKee: That we have made the statement today talks to the fact that we are and continue to be committed to transparency on the situation. We will look at the internal processes regarding the conclusions that were arrived at in 2016 and why they differ from the conclusions that we have arrived at at this point in time. To ensure full transparency, within the restrictions placed on us with regards to the disclosure of legal advice and commercial sensitivity, we will make available

information as necessary to the Parliament and beyond.

On engagement with stakeholders, I have already made it clear that we engage regularly with the full range of stakeholders, including the GFG Alliance; Tata, with regards to this particular issue; local members; trade unions; and others in the local community and wider industry who have an interest in the matter and in the Scottish Government's continued support to ensure that the jobs in the steel plants in Lanarkshire continue.

Kenneth Gibson (Cunninghame North) (SNP): Having worked at Dalzell 35 years ago and at Clydebridge briefly before that, I was heartened that the Scottish Government acted to save the remains of an industry that lost 16,000 jobs in Scotland in the 1970s, under Labour, and 10,000 in the 1980s and 1990s, under the Tories. In addition to the 140 direct jobs, how many people working in the supply chain have had their jobs saved by the actions of the Scottish Government? I am interested in this answer because it is clear that the Opposition is not.

Ivan McKee: To be honest, I find that hard to believe. Kenny Gibson must have had his short trousers on when he was working there, 35 years ago. I commend him for his efforts as a youngster in supporting Scotland's steel sector.

As I identified, there are 140 direct jobs, but there are many more in the supply chain and in the wider communities that are dependent on the continued operation of the plants at Dalzell and Clydebridge. The Scottish Government took forward the complex transactions to make sure that the deals could go through, in order to save the sector, and that was absolutely the right thing to do.

We see great opportunities for the sector as we move into an environment where the net zero economy becomes more significant. We will have on-going conversations with the plants about how they can take advantage of that and continue to innovate and provide a strong future for themselves in the rapidly evolving steel sector.

The Deputy Presiding Officer: I call Richard Leonard, who joins us remotely.

Richard Leonard (Central Scotland) (Lab): I refer members to my entry in the register of members' interests: I was a member of the Scottish steel task force and my first priority is to save the jobs.

We know that Greensill Capital has collapsed, with losses of £1 billion, and we know that GFG Alliance is under investigation by the Serious Fraud Office. We also know that, tomorrow, Audit Scotland will publish its audit of the Scottish

Government's consolidated accounts. Is that why the statement was rushed out today?

Ivan McKee: Richard Leonard is correct in saying that the focus is on saving jobs, which remains the priority. I am proud that we have been successful in that regard and that people have been in work over the past five years, which would not otherwise have been the case.

As I have said to other members, we made the statement to ensure that there is transparency for the Parliament.

The situation is a complex one that we have been working on as a consequence of the evolving situation at GFG, which has led us to look at all possible scenarios that might unfold. I am thankful that, despite the difficulties with Greensill, the GFG business continues to operate and the management team at the Lanarkshire plants continues to produce high-quality products to sell into a currently strong market. We continue to engage closely with the team.

The timing is a consequence of our having worked through complex issues over the past months, to understand the situation as it transpired. Detailed scenario planning on what the future might hold, then looking at previous transactions as a consequence of that, led us to a complete review of the work that was done in 2016. Out of that work came questions on which we took expert advice, so that we could understand the implications. That is why we made the statement today.

I reiterate that there is no financial liability for the Scottish Government as a consequence of what I have said today.

The Deputy Presiding Officer: Minister, I must ask you to be a bit more succinct in your responses.

Gordon MacDonald (Edinburgh Pentlands) (SNP): Although the Scottish Government's actions to save the Clydebridge and Dalzell plants have been welcome, members of the public will want to know that they were good value for taxpayers' money. For clarity, can the minister provide an assurance that the contract has come at no cost to the Scottish taxpayer?

Ivan McKee: Yes, I can confirm that. The Scottish Government incurred no up-front costs from the transaction. As I said, we paid £1 and got that money back. Scottish Government officials supported work to complete the transaction as part of their normal range of duties and, as I said, the news that I have shared with Parliament today does not create any financial liability for the Scottish Government.

The Deputy Presiding Officer: I call Willie Rennie, who will join us remotely.

We will go to Colin Beattie and come back to Willie Rennie if we can sort out the link.

Colin Beattie (Midlothian North and Musselburgh) (SNP): Can the minister provide further information on the most recent assessment of the Lanarkshire plant's productivity?

Ivan McKee: I thank the member for that question, which is important because the plant's survival is based on its ability to sell into the steel market.

As I said, officials regularly meet the local management team. It is heartening that, even during the current challenging circumstances, the plant continues to operate and to produce high-quality steel plate, and that steps continue to be taken to increase the productivity of operations in the Lanarkshire plant. The Scottish Government is supportive of those steps, and I am kept regularly updated on the issue.

The Deputy Presiding Officer: I gather that there is still an issue with Mr Rennie's connection, so we will go to Maggie Chapman, who also joins us remotely.

I think that we have lost all the connections. I call Liz Smith, who is with us in person.

Liz Smith (Mid Scotland and Fife) (Con): I am here, Presiding Officer.

I listened carefully to the answers that the minister gave to Jamie Halcro Johnston and Daniel Johnson, but I do not think that I heard him tell them what they asked for. When did he find out that there had been a breach of the contract?

Ivan McKee: As I thought I had made very clear, this has been a process of working through a range of questions then seeking clarification on the implications of the answers. Earlier this year, in light of the GFG situation, we started to assess the current situation at Dalzell, what its implications might be and what scenario planning could look like as a consequence. We also had a look back through previous transactions that took place in 2016.

During the course of that work, a number of issues were raised, and we sought expert advice in order to understand their implications. Clearly, we have had to have discussions back and forward in order to fully understand and to seek clarification of what are very complex transactions. We brought the statement to the Parliament as soon as we could—

Douglas Ross (Highlands and Islands) (Con): When?

Ivan McKee: We brought this statement to Parliament as soon as all our questions had been asked and answered, so that we had complete clarity on the situation and were able to articulate

a statement that takes into account all the advice. Members would not expect us to come with a statement that was half baked—

Stephen Kerr (Central Scotland) (Con): When?

Ivan McKee: We just became aware—
[*Interruption.*]

The Deputy Presiding Officer: Excuse me, minister. Members who were not even in the chamber for the statement are now shouting; I ask Stephen Kerr, in particular, to pipe down and listen to the response from the minister.

Ivan McKee: We brought the statement to Parliament as soon as we had clarified the answers in the advice, in order to ensure that we could deliver a robust statement that takes into account all the factors and information that are available at this time.

The Deputy Presiding Officer: We still appear to be having connection problems, so I call Fulton MacGregor.

Fulton MacGregor (Coatbridge and Chryston) (SNP): As the representative of a constituency that has a proud steelworks heritage, including the Gartcosh finishing mill that was closed in 1986 to a huge public outcry—I was only six the at time, but my granddad worked there—I ask whether the minister can provide any further detail on the Scottish Government's latest engagement with steel sector stakeholders regarding the challenges and opportunities that the sector faces in ensuring a safe and healthy future for steel in Scotland.

Ivan McKee: As I said earlier, the Scottish Government is hugely focused on understanding how the sector is evolving and is watching that closely. I am a member of the UK steel council, which includes all the major steel producers across the UK and is chaired by the Secretary of State for Business, Energy and Industrial Strategy.

There are huge opportunities for the steel sector in the move to a net zero economy. Zero Waste Scotland is looking at the circular opportunities for energy transition in Scotland. Its report, "How Should Scotland Manage its Scrap Steel?" speaks to that and is the first in a series of such reports that it will produce. I welcome the work that is being done by Zero Waste Scotland and others in the area, and I look forward to seeing the follow-up reports, which will help to inform our policy. That work is timely, given the emphasis that the 26th United Nations climate change conference of the parties—COP26—placed on helping energy-intensive industries, such as the steel sector, as they move towards net zero.

The Deputy Presiding Officer: I am informed that Maggie Chapman can now join us remotely.

Maggie Chapman (North East Scotland) (Green): I thank the minister for advance sight of his statement. We know that steel has been an important part of Scotland's industrial landscape through providing jobs and materials that are much needed in our economy. I echo the minister's remarks about the resilience of the workforce.

Given the issues surrounding GFG Alliance, which other members have mentioned, and the high-carbon nature of the steel industry, can the minister outline what role he expects the steel industry to play in Scotland's future and how we can ensure that we retain the skills and expertise of the workforce in Scotland's industrial future?

The Deputy Presiding Officer: Briefly, please, minister.

Ivan McKee: That is a good question. As I said, with regard to GFG, we are watching the situation closely and running extensive scenario planning on how we might respond to developments.

We absolutely understand the energy-intensive nature of the steel sector. There is a huge commitment in the sector in Scotland, the United Kingdom and internationally to move towards a net zero future and to decarbonise steel production, and there is a huge focus on the creation of green steel. That is something that we are very supportive of and on which we engage closely with people. Ensuring that there is a just transition for the sector and that the workers continue to be engaged in producing high-quality green steel in the future is something that we are focused on delivering for the workers and their communities and for people across Scotland.

The Deputy Presiding Officer: Finally, I call Willie Rennie. Mr Rennie, can you hear us?

That answers that question. Unfortunately, we need to pause briefly before we move on to the next item of business.

Economy (North-east Scotland)

The Deputy Presiding Officer (Annabelle Ewing): I remind members of the Covid-related measures that are in place. Face coverings should be worn when moving around the chamber and across the Holyrood campus.

The next item of business is a debate on motion S6M-02552, in the name of Liam Kerr, on backing the north-east economy.

15:21

Liam Kerr (North East Scotland) (Con): Last week, in response to someone called Alex Salmond saying that the Scottish National Party Government had

"been dragged into student politics"

that would sacrifice and jeopardise

"the livelihoods of tens of thousands of Scots",

an SNP spokeswoman said that we needed to

"get real on the climate emergency".

They were both right. "Get real" means acknowledging that 78 per cent of Scotland's total energy needs and 91 per cent of its heating are met from oil and gas. That is fuel and gas, which heats 24 million United Kingdom homes and goes towards making medicines, cosmetics, plastics, cleaning products, clothes and contact lenses. As Gary Smith of the GMB said, gas is

"a feedstock for the chemical industry ... our food supply ... our NHS".

I ask Patrick Harvie, who is always keen to remind us that he rides a bike—sometimes even the right way up one-way streets—what he thinks the tyres are made from or the oil on the chain.

"Get real" means acknowledging that, in all scenarios given by the Climate Change Committee—all net zero compatible, incidentally—oil and gas account for around half of demand until 2050. Scotland has to get that from somewhere. Much of it already comes from abroad. It comes from Russia—that famous upholder of regulatory and environmental standards—to which we paid nearly £4 billion for oil and gas last year. It comes from Qatar, which sold to us £1 billion-worth of liquefied natural gas that has, according to the Oil and Gas Authority, more than double the carbon footprint of UK gas. It also comes from Norway which, to ensure that it can still sell us around £11 billion-worth of oil and gas, just licensed extraction in 136 blocks in the Barents Sea and exploration in the Arctic.

Conversely, local supply has advantages such as enhancing security of supply; protecting 100,000 jobs—around 65,000 of them in the North

East Scotland region—while undertaking a fair and managed transition; avoiding inflicting ever-higher imported gas prices on the British consumer and plunging ever more of them into fuel poverty; and ensuring that we do not offshore our environmental responsibilities to the global south.

“Get real” means not lodging motions that refer to just transition funds about which, just last week, the Cabinet Secretary for Finance and the Economy could tell me no detail so that I have had to write to her. It means not repeatedly saying “match that” when anyone who has the slightest knowledge of the industry knows that the UK Government’s £16 billion North Sea transition deal is happening now and aims to create 40,000 high-quality direct and indirect jobs. It also means—instead of boasting that offshore wind energy would create 28,000 posts by 2020 and then delivering fewer than 2,000 or boasting that 21,000 renewable energy jobs have been created but quietly forgetting that 130,000 were promised—fronting up, supporting the sector and working with it to deliver an actual transition.

“Get real” means that, when Siccar Point Energy postpones the Cambo project and immediately cuts 39 roles in Aberdeen, potentially forfeiting 1,000 jobs, a party of government does not respond by saying how “great” that is. It does not mean Ross Greer stating to Shell,

“Can’t wait till we seize your assets and prosecute your executives”,

or Maggie Chapman comparing the oil and gas industry, which is one of the most advanced industries in the world and key to our transition, to the stone age. It does not mean claiming that supporting oil and gas makes one “hard right”, or celebrating as tens of thousands face a Christmas fearing for their jobs, their livelihoods and their futures. Arrogance and hubris stalk the Greens like the jangling chains of Marley’s ghost but, just like the ghost, the people of Scotland will see right through them.

The Minister for Zero Carbon Buildings, Active Travel and Tenants’ Rights (Patrick Harvie): The member can quote people out of context all he likes, but will he not acknowledge as a matter of fact that political parties of the left, centre and centre right, and even lifelong Conservatives such as John Gummer, have already got real and recognised that everlasting expansion of oil and gas extraction is not compatible with a serious response on the climate emergency?

Liam Kerr: I am disappointed that the minister has completely failed to get my point. Nobody is arguing for unlimited oil and gas—the minister has clearly failed to listen, just as he failed to listen to the oil and gas industry and to most of the

environmental industry when they were telling him something different.

However, the responsibility does not fall on the SNP’s subsidiary alone, for the latest developments were set off by Nicola Sturgeon’s abject failure to back our oil and gas industry. When it suited her, it was Scotland’s oil and the foundation for her future country.

Members may remember that, right at the start of the 26th United Nations climate change conference of the parties—COP26—Michael Matheson was quoted as saying that an independent Scotland would continue drilling for oil and gas. Yet, as soon as the price fell and Nicola Sturgeon realised that supporting the industry might impact on her future job prospects, she threw her cabinet secretary under the bus and U-turned with deeply damaging comments about Scotland’s oil and gas. Just last week, when she was pressed by Douglas Ross, she failed to condemn the shameful, appalling comments of her ministerial colleague Patrick Harvie.

What a contrast that is with the leadership that has been shown in Norway. As Deirdre Michie of Oil & Gas UK said:

“Look at the statements of support from their Prime Minister. That gives people and companies confidence that that’s an area where you can go and invest, where you want to do your oil and gas operations, where the people and the skills will then underpin the energy transition.”

The last point is key—what will drive net zero is oil and gas companies that have the skills, the money and the business imperative to innovate, invent and transition. For example, BP is using its workforce to partner with Aberdeen City Council in the hydrogen hub; Equinor and Cadent are—as was reported today—announcing plans for a hydrogen town; and SGN is envisaging a pathway to 100 per cent hydrogen for Scotland’s gas networks, on which it has worked with oil and gas stalwart the Wood Group.

The conclusion is clear: we must “get real” about continuing demand, and how irresponsible and short-sighted it would be to satisfy that demand through imports. We must “get real” about recognising that, unless the Scottish Government starts to support our oil and gas industry and genuinely steps up to a fair and managed transition, new production will not go ahead, we will import from abroad and up to 100,000 workers in the oil and gas industry and associated industries will be thrown under the bus in favour of virtue signalling.

I urge Parliament to vote for the Conservative motion today; the SNP to take its spokeswoman’s advice to “get real”; Parliament to back our oil and gas industry; and all of us to consign the student

politics of the Greens back to the stone age where they belong.

I move,

That the Parliament recognises that prematurely ending the oil and gas industry would decimate the economy of the north east of Scotland, and believes that it is irresponsible and counter to Scotland's net zero ambitions to undermine the future of the industry and the jobs of tens of thousands of north east workers that rely on it.

15:28

The Cabinet Secretary for Net Zero, Energy and Transport (Michael Matheson): Our oil and gas industry supports around 70,000 jobs in Scotland, and the sector continues to play an important role, not just in our economy but in delivering energy security. Crucially, even as we make the transition away from fossil fuels, as we must do, the sector will continue to have a vital role in ensuring Scotland's energy security.

Of course, we must reduce our reliance on fossil fuels in line with our climate obligations, in a way that is fair and just. It is a journey on which Scotland has already embarked and which it needs to accelerate. We have made it clear that renewables and low-carbon jobs cannot replace oil and gas jobs immediately, which is why we are committed to ending our contribution to climate change quickly, in a way that is just and leaves no one behind.

A transition that puts 70,000 workers into unemployment or increases reliance on imports would not be a just one. That is why the Scottish Government is investing in a just transition, not just through our £75 million energy transition fund but through our continued support for projects such as Acorn and the Scottish Cluster. Those projects are critical to meeting our emissions reduction targets, as well as supporting the transition in the North Sea oil and gas sector.

The UK Government's decision not to grant the Scottish Cluster full track 1 status was wrong, because it puts a just transition at risk and might have a negative impact on our environment and economy. Yet again, I urge the UK Government to accelerate the Scottish Cluster to full track 1 status without delay.

Liam Kerr: I do not entirely disagree with a lot of what has been said so far, but the cabinet secretary will acknowledge that the selection or not of Acorn was made on entirely objective criteria that all parties knew about.

Michael Matheson: Liam Kerr is aware that the Scottish Cluster came through that assessment process very well. The decision not to progress with the project was made by the UK Government despite the fact that it had a good rating in the assessment. That is why—in the term that was

used to me—the sector representatives were “flabbergasted” by the UK Government's decision on that issue.

Over the course of the next four years, the emerging energy technologies fund, which we have set up, will invest £180 million in the development of projects that are based on hydrogen and carbon capture, utilisation and storage—CCUS—industries, to support the development of negative emissions technologies, which is an important role that they can play.

Next year, we will also commit the first £20 million of our £500 million just transition fund, to support Moray and the north-east of Scotland to become a centre of excellence for the transition to a net zero economy. We have repeatedly asked the UK Government to match that investment over the next 10 years to ensure that we deliver a just transition in the north-east.

Scotland also has some of the best offshore wind resources anywhere in Europe. Crown Estate Scotland's current leasing round—the ScotWind process—is an opportunity for us to get first-mover advantage on floating wind projects anywhere in the world. The Scottish Government is determined to build on that strength, maximise our country's offshore potential, reduce emissions and create good, green jobs. In 2020, Scotland generated some 940MW from offshore wind alone, and the recent announcement of a new manufacturing facility in Nigg is a great example of that. A location that is long associated with the oil and gas industry will now be home to the UK's largest factory for steel towers for offshore wind turbines. That will create some 400 new jobs and more than 1,000 jobs across the supply chain. That is the type of transition that we want to happen across Scotland, including in the north-east.

The North Sea will continue to provide Scotland with an important level of domestic energy and, crucially, the infrastructure, skills and expertise of the sector can be a huge asset in helping us to achieve net zero. We believe that that will help Scotland to become a world leader in emerging technologies, such as CCUS, offshore wind and hydrogen.

The pact that was recently agreed in Glasgow at COP26 reaffirmed our commitment to achieving the Paris agreement to limit global warming to 1.5°C. That means that it cannot be business as usual. We need to take bold and courageous decisions in order to do things differently.

In the spring, we will also deliver our first just transition plan as part of a refreshed energy strategy, and that will set out how the economic and social impacts of the transition will be managed. Work to engage and collaborate with

those who stand to be most impacted by the transition will begin early in the new year.

I believe that, by working in partnership with our oil and gas sector and the wider energy sector in Scotland, we can ensure a prosperous and sustainable future for this and future generations—in the north-east of Scotland and beyond.

I move amendment S6M-02552.3, to leave out from “prematurely” to end and insert:

“the global climate emergency and the aims set out in the Glasgow Climate Pact require all countries to achieve the fastest possible Just Transition for the oil and gas sector; reaffirms that, for such a transition to be just, it must support the 70,000 workers whose employment depends on the sector in Scotland; understands that the growing domestic and global renewable industry provides a major employment opportunity for Scotland; welcomes the Scottish Budget for 2022-23, which will see almost £2 billion invested in tackling the climate emergency, including the first £20 million of the £500 million Just Transition Fund for the north east and Moray, and calls on the UK Government to match this investment in the industries and jobs of the future.”

The Deputy Presiding Officer: Before I call the next speaker, I remind all members who wish to speak in the debate to ensure that they have pressed their request-to-speak button.

15:35

Colin Smyth (South Scotland) (Lab): If we are to prevent the climate emergency from becoming a climate catastrophe, we are on borrowed time. However, we are also on borrowed time if we are to stop that climate crisis becoming a jobs crisis.

As we have heard, the oil and gas sector supports around 70,000 jobs in Scotland, most of which are in the north-east. There are 28,000 such jobs in Aberdeen alone and 10,000 in Aberdeenshire. The sector supports high-wage jobs across the whole country, including more than 1,000 in my South Scotland region. The industry is worth £19 billion a year in gross value added, which is 12 per cent of the Scottish economy. The industry’s impact is greatest in the north-east—it generates £14.6 billion in Aberdeen and more than £4 billion in neighbouring Aberdeenshire. In addition, the sector generates £106 million across the Highlands, Moray, Orkney and Shetland, and £39 million in South Scotland.

Oil and gas also continue to account for three quarters of the UK’s energy needs, with a quarter going on producing everyday goods, from medicines to the raw materials for wind turbine blade manufacturing. Even by 2050, half of our demand will still be met by oil and gas. Therefore, turning off the taps prematurely would have a devastating impact on the north-east economy, as well as in all our communities.

Winding up production too rapidly would not suppress demand for oil and gas; it would simply result in greater levels of imports, sometimes from regions with less stringent environmental and employment regulations. Gas imports are already at record levels and account for more than half of UK gas supplies. Do we really want to raise imports of oils from Russia above the already significant value of £3.2 billion?

Douglas Lumsden (North East Scotland)

(Con): If we are looking at importing more oil and gas, does the member agree that having projects such as Cambo come on stream would be a good thing, in order to limit the amount that we have to import?

Colin Smyth: Mr Lumsden will know that it is Shell that has pulled out of Cambo because it concluded that the economic case was not strong enough. He will also be aware that the Intergovernmental Panel on Climate Change report that was commissioned by the UK Government concluded that we cannot continue to pursue maximum economic recovery of fossil fuels.

It is crucial that we ensure that we have a just transition. I know that Mr Lumsden and his party do not understand what that is, but they should ask any mining community in my constituency about a just transition for energy workers.

Liam Kerr: Will the member give way?

Colin Smyth: I will try to make some progress.

If we are to meet our climate targets, which are demanding—a 75 per cent reduction in emissions by 2030 and net zero by 2045—and also continue to secure jobs, we cannot pursue the maximum economic recovery of fossil fuels. As I mentioned, that view is shared by the International Energy Agency. Therefore, we need to have a sensible debate and a balanced discussion about how we can protect jobs and energy security, as well as ensure that we transition to net zero. Crucially, we must make that transition in a just way, so that no worker is left behind, as many were recently by both the UK and Scottish Governments when oil prices fell, leading to thousands of job losses. That means that we need to up our game in Scotland to properly translate green energy growth into high-quality, secure, well-paid jobs, which is something that, so far, the Government has failed to do.

Workers and trade unions are sick and tired of the constant references, which we see again in the Government’s complacent amendment to the motion, promising jam tomorrow and more talk about opportunities for jobs in the renewables sector. They have heard it all before—we all remember Alex Salmond promising those opportunities, saying that we would be the “Saudi Arabia of renewables”. A decade on from the SNP

pledge in its low-carbon economy strategy of annual growth of 4 per cent a year to 130,000 green jobs by 2020, the number of people who are directly employed in the low-carbon and renewables economy is just 21,400, which is the lowest since 2014.

Liam Kerr: Will the member take an intervention?

Colin Smyth: I will take an intervention if I can get the time back.

Liam Kerr: I can associate myself with an awful lot of the member's comments, but does he support his colleague Monica Lennon's motion, which in effect turns off the taps prematurely—something that he rightly fears?

Colin Smyth: Nobody on the Labour benches is proposing to turn off the taps prematurely. However, we need to start learning the lessons of the past, including the lessons from the closure of our mines and, most recently, the lessons from a decade of missed opportunities in securing offshore wind contracts for Scottish manufacturing.

We need a bold industrial strategy that lays out how domestic manufacturing capacity must evolve to ensure that the growth in domestic renewable energy production begins to translate into new jobs in Scotland. That means that both Governments, instead of bickering, need to work together. For example, we should not be signing contracts for offshore wind farms without a proper plan for supply chain manufacturing and ambitious conditions in relation to job creation in Scotland—something that the UK Government missed recently when it came to its announcement on funding for renewable energy.

We cannot repeat the past failures to recognise the manufacturing benefits of renewables by now failing to recognise the emerging job opportunities from the tens of billions of pounds of decommissioning work that will be needed in the North Sea in the decades ahead.

Scotland's fabrication and decommissioning industries should be supported by requiring a significant proportion of local procurement from oil companies operating in the UK continental shelf region. That is what a proper just transition is, supported by a just transition commission with statutory backing. The transition also needs to be a jobs-first, worker-led transition, with a relentless focus on securing meaningful, well-paid, unionised jobs that are good for people and good for our planet. That means a partnership approach—

The Deputy Presiding Officer: Mr Smyth, I have given you the time back for the intervention, so please bring your remarks to a close now.

Colin Smyth: No problem at all.

That means a partnership approach between Government and those workers who are most affected.

I am happy to move Labour's amendment in my name, but I must also make clear that we cannot allow workers and communities to be left on the unemployment scrap heap as we transition to a modern, low-carbon economy. Our amendment recognises that such a transition can be just only when workers have a say on their futures, on their livelihoods and their—

The Deputy Presiding Officer: Mr Smyth, you really are quite over your time.

Colin Smyth: I move amendment S6M-02552.2, to insert at end:

“; further believes that the Scottish Government must significantly step up its efforts to support the retention and creation of energy jobs in Scotland, and calls on the Scottish Government to set out a clear industrial plan, in consultation with trade unions and workers, particularly from the oil and gas sector, to secure a Just Transition for workers across Scotland.”

Liz Smith (Mid Scotland and Fife) (Con): On a point of order, Presiding Officer. I am sorry to interrupt the debate, but it is my understanding that quite a lot of members across all the political parties are having great difficulty in accessing the debate online because BlueJeans seems to have frozen. I know that that was a problem during question time, too. Could the matter be investigated, please?

The Deputy Presiding Officer: I understand that the point that Liz Smith draws to our attention is being urgently investigated. Members are being advised to watch proceedings on Scottish Parliament television.

Liz Smith: On a further point of order, Presiding Officer. Would it be possible to have a short suspension until the issue is sorted out? There are members who would like to participate in the debate.

The Deputy Presiding Officer: Thank you for your points of order, Ms Smith. I do not know the extent of the technical problem, but I think that the website is down. I propose that we suspend for 10 minutes. If, at that time, the issue has not been resolved, I am afraid that we will have to move on. I hope that that is a sensible way forward.

15:43

Meeting suspended.

15:53

On resuming—

The Deputy Presiding Officer: Before we resume the debate, I will provide further

clarification. I have been advised that there is a problem with the worldwide web. Therefore, we need—along with much of the rest of the world, I guess—to investigate what is happening, why it is happening and when it can be fixed. I imagine that that will have implications for what happens later in the afternoon. Please rest assured that those questions are being actively looked into by the chief executive's office. Further information will be provided when it is available, so that members know exactly what is happening in respect of there being a deferral of decision time or whatever else is the best way forward.

In the meantime, we will continue with the debate. I call Liam McArthur.

15:54

Liam McArthur (Orkney Islands) (LD): I thank you, Presiding Officer, and Liz Smith for trying to maximise the online viewing ratings for my speech. I will try not to disappoint.

There is clearly a sense in which this is groundhog day: we seem to have been having this debate, in some guise, weekly. I certainly do not begrudge that, given the urgency of the climate emergency and the importance of ensuring a just transition. In the amendment that I lodged, I sought to reinforce—as Colin Smyth set out in his speech—the need to secure the future of workers and communities and to deliver tens of thousands of good green jobs.

I thank Liam Kerr for his motion, which does not seem unreasonable on the face of it, although I am not entirely clear how far short of maximum extraction it would leave us. We need to accept that some of the resource will have to be left in the ground.

Even so, it is worth taking a moment to reflect on the current contribution of the oil and gas sector. There is no doubt that it has been economically significant, both in terms of gross value added and in terms of jobs. That is the case right across the country—perhaps more significantly in the north-east but, I argue, also in the Highlands and Islands to no smaller extent, proportionally. That adds further weight to the argument for specific attention being paid to a just transition in that region.

As Liam Kerr acknowledged, all the scenarios from the UK Climate Change Committee anticipate oil and gas accounting for up to or around 50 per cent of total cumulative energy demand up to 2050. That might reflect a marked reduction from where we are now, but it remains significant. It also underlines the need to bear down on demand and to avoid simply displacing domestic production with imports of more environmentally

impactful products and more problematic security of supply.

People who work in the oil and gas sector recognise the need for an energy transition. Recent polling appears to suggest that there is a real appetite among those who work in the sector to see the transition taking place. The important thing for Government and its agencies is to make it as easy as possible.

There is an obvious read across to the needs of the renewable energy sector, but it would be overly simplistic just to say that that is where the transition will go. There will be many other sectors that can take advantage of the skills of people from the oil and gas sector. It is incumbent on Government and agencies to do more to raise awareness of options and to make the transfer as smooth as possible, including through any retraining or skills development that are needed.

We will happily support the amendment in Colin Smyth's name; I am slightly more reluctant about Michael Matheson's amendment. For the record, Scottish Liberal Democrats certainly do not, at this stage, welcome the Scottish budget, and not just because it clobbers local authorities across the country. It also falls short of helping us to meet our climate objectives. Questions have already been asked about what the £500 million energy transition fund is actually made up of and whether it will turn out to be more smoke and mirrors.

It would be helpful, in that context, if the minister or the cabinet secretary could set out the year 1 objectives for the £20 million that has been referred to. How many workers will actually benefit, and what are the predicted investments in future years? In the context of the UK Climate Change Committee's recent criticism of the Scottish Government's lack of detail on plans to achieve net zero, those and other questions become ever more crucial and central.

As I have said in the context of previous debates, the creation of new green jobs will be key in a just transition. We have had the promises before, but we cannot now afford to leave people and communities behind. Achieving that transition will require that plans be both radical and credible. We need to bring people with us, and that will rest heavily on credibility, including the credibility of people in the oil and gas sector. Change is unavoidable, but only with detailed plans and proper resourcing can there be any hope of achieving the transition in a managed way.

15:59

Maurice Golden (North East Scotland) (Con): There are now two distinct visions of the North Sea's future. On one hand, we have the potential for a just transition, ushering in a new age of

prosperity for Scotland. Decommissioning will play a central role, with up to £50 billion being invested in the North Sea by 2040. The potential exists to support thousands of jobs, either directly or through supply chains—jobs that oil and gas workers are well placed to fill, given their highly transferable skill sets.

However, we need a circular economy in order to properly tap that potential. For example, why scrap a pipeline when it is worth five times as much in the construction sector? Together, improved reuse, better remanufacturing and higher-value recycling could increase the value of assets—including steel, valves, vessels and tanks—by as much as 25 per cent. Alongside a digital tracking system for new or replacement assets, we can ensure through quick response—QR—codes, for example, that we extract as much of that value as possible.

We should also capitalise on the huge steel smelting potential. Typically, 94 per cent of oil and gas platforms' steel is smelted, so having an electric arc furnace in Scotland makes perfect sense in terms of helping to recycle the estimated 5.5 million tonnes of steel that are available on the UK continental shelf. That would create skilled jobs, reduce carbon impacts and reduce constraint payments. Once again, I urge the Government to explore that opportunity.

All that work requires close co-operation with the oil and gas sector. It makes sense that we co-operate, because even the UK CCC forecasts that oil and gas will continue to provide up to 50 per cent of our energy demand to 2050.

The sensible approach is to ensure that the industry makes the minimum possible impact on the environment, which is why the North Sea transition deal focuses on reducing production emissions and will get a boost from UK plans to quadruple offshore wind generation by making electrification of oil and gas platforms easier by tying them to offshore generation.

Set against our sensible and sustainable vision is the extreme position that the Greens are pushing. They want North Sea oil and gas to be shut down as quickly as possible. One of their ministers called for the shutdown to start next year. Meanwhile, their other minister openly celebrates Scottish oil and gas jobs being put at risk. It is the stuff of student politics—treating the oil and gas sector as an enemy and its workers as an afterthought.

The SNP seems to be happy to go along with that approach and shows no sign of putting in the work that is needed. Years late, there is still no circular economy bill; no industrial road map—which is critical for carbon capture and storage—and no word on the Scottish offshore floating wind

industry getting the support that it needs in order that it can compete. The Scottish Government set an arbitrary limit of 100MW for Scottish projects and expects them to compete with the 300MW projects that will exist throughout the rest of the UK.

The failures are mounting even higher. Emissions, recycling and green jobs targets have not been met, and the Scottish Government cannot even deliver a 1990s deposit return scheme after working on it for a decade.

Let us remember that 100,000 jobs depend on the oil and gas sector. Those workers need certainty for the future. I know which of our two visions they trust to deliver that.

16:03

Paul McLennan (East Lothian) (SNP): This morning, I held a joint meeting with Scottish Renewables and the Scottish Cluster. At that meeting, we considered the opportunities for both sectors regarding the supply chain—encouragement of local supply chain development, manufacturing opportunities, developing a skilled workforce and working with local skills agencies, colleges and universities. I know from discussions with OGUK that it is keen to engage with both the Scottish Cluster and the renewables sector on that.

The cost of retrofitting properties in Scotland is estimated to be about £33 billion, according to a study by the University of Glasgow. The 2 per cent population share of my East Lothian constituency would mean £750 million in that sector alone.

Last week, in the Scottish Government net zero debate, I touched on a meeting with Scottish Renewables and SNP colleagues at which we heard about opportunities for the renewables sector to deliver an additional 17,000 jobs with an additional £33 billion of GVA by 2030. In that same debate, I mentioned a recent report by Robert Gordon University, which stated that 90 per cent of oil and gas industry jobs

“have medium to high skills transferability”

into green and net zero industries.

Stephen Kerr (Central Scotland) (Con): Will the member give way?

Paul McLennan: I have only four minutes and I want to get through my speech because I have points to make.

There are opportunities for all sectors to work together.

The Scottish Cluster also recently published the key findings of a report on the employment impact of the Scottish Cluster in Scotland. Storegga

Geotechnologies, which was the lead developer of the Acorn project on behalf of the Scottish Cluster, commissioned the report. The Scottish Cluster found that it could support an average of 15,100 jobs between 2022 and 2050, comprising 6,200 direct jobs and 8,900 supply chain jobs. Total Scottish Cluster jobs were expected to peak at 20,600 in 2031. If the UK Government had accepted the project as a track 1 project, it would have started to support jobs as early as 2022.

Stephen Kerr: Will the member give way?

Paul McLennan: No. I am sorry. I do not have time—I have only four minutes.

The initial project build phase would have supported 15,000 jobs straight away. Who is letting the north-east down now?

Liam Kerr: Will the member give way?

Douglas Lumsden: Will the member give way?

Paul McLennan: No. I am sorry.

That would have been bad enough, but the Conservatives' shambolic handling of the Peterhead carbon capture and storage project in 2015 just adds insult to injury.

Maurice Golden: Will the member take an intervention?

Paul McLennan: No. Only this week—

The Deputy Presiding Officer: Excuse me. The member has indicated quite a few times that he is not giving way. As you know, it is up to members to decide whether they will take interventions. Please resume, Mr McLennan.

Paul McLennan: The truth is having an impact here, Presiding Officer.

Only this week, Professor Stuart Haszeldine, who is the carbon capture and storage expert at the University of Edinburgh, said that there is “no advantage” in the project's selection as a reserved bidder.

Maurice Golden: Will the member give way on that point?

Paul McLennan: No. He also said that carbon capture projects are “fundamental” to Scotland meeting its net zero targets by 2045. He stated:

“It just means you have to go to a lot of meetings but there's very little chance of one of the other bidders being declared void so you're effectively being asked to run on the spot with very little or no funding.”

I ask again, who is letting the north-east down now?

Stephen Kerr: The SNP is.

Paul McLennan: I am sorry. I am not taking any interventions.

The Scottish Government is investing heavily in the area. The £62 million energy transition fund will support our energy sector and help the north-east to make significant progress on energy transition as we move toward a net zero society by 2045. The £500 million just transition fund will protect existing jobs and create new jobs in the north-east and across Scotland by opening up opportunities through energy transition and harnessing private sector funding.

The Scottish Government has already announced £26 million for the energy transition zone, £16.5 million funding for the net zero technology transition programme, £6.5 million for a global underwater hub, and £4.65 million for the Aberdeen hydrogen hub.

This is not an either/or discussion. We can manage a just transition by working with all sectors, but the Tories need to move on from their narrative. The Scottish Government is wholly committed to ending Scotland's contribution to climate change by 2045, and to ensuring that we do it in a just way that leaves no one behind.

The Scottish Government is committed to supporting the north-east of Scotland and is determined to secure a just transition for the region and its workers. The Scottish Government will not allow the mistakes of the past to be repeated. Indeed, far from deserting the sector, the Scottish Government is already investing in its net zero transformation.

16:07

Michael Marra (North East Scotland) (Lab):

There is no issue that is of greater importance to the people I represent than the future of the economy of the north-east and the livelihoods that depend upon it. We are talking about jobs, wages and our taxes.

The deeply worrying income receipts that the Cabinet Secretary for Finance and the Economy presented last week can be traced partly to the low oil price and the decline of North Sea exploration. We are therefore also talking about public finances and our public services.

Scottish Labour believes that the only viable transition is a jobs-first transition in which opportunity remains for our communities. We believe that the skills and infrastructure in the north-east will be vital to any realistic transition to a low-carbon economy, but we do not underestimate the scale of the challenge. If there is a good example of where such a fundamental change has been achieved without significant pain since the industrial revolution, I have still to see it.

When I hear colleagues in other parties talking about a jobs-rich future, I have to say that I am

sceptical, and that is on the basis of experience. Alex Salmond and SNP ministers were the royal family of the Saudi Arabia of hyperbole rather than anything to do with renewable energy. The debate that we have had so far is really about that clash between warm and grandiose words and the reality on the ground.

Colin Smyth highlighted the huge promises that were made a decade ago. The challenge for the Government in today's debate and more generally is in convincing the public that it has a sound vision that can be pursued, and that it is not just making grand promises. After 14 years, we are still here: the climate emergency is worsening by the day and all that time has been wasted on grand words and little work.

We are now being asked to believe that the Greens—the coalition partners who cannot produce or run a bottle return scheme—are going to make the difference in terms of making the transition work. Frankly, that stretches credibility even further.

If Scotland is to transition successfully to a low-carbon economy, we must have a clear industrial plan that must be built with the involvement of experts, investors, trade unions and workers—especially workers from the oil and gas sector.

In my position as a member for North East Scotland, I regularly meet businesses that are keen to assist and to create jobs and make profits in the new industries. Floating offshore wind offers real opportunities for the north-east, but for reasons that I find genuinely difficult to understand, the Scottish Government is putting Scotland at a serious disadvantage in the evolution of an offshore wind supply chain by limiting innovation or stepping stone projects in the North Sea to 100MW, despite having been told specifically by the industry that projects at that level will be unfinanceable. The contrast—and the competition—is with the situation in the English and Welsh waters of the Celtic Sea, where innovation projects of up to 300MW can be proposed. Therefore, I ask ministers for an assurance that they will look at the innovation and targeted oil and gas decarbonisation plan and think again about the proposed limit. Unless the 100MW cap for innovation, as well as oil and gas-linked projects, is raised to 300MW, Scotland will struggle to compete with activity elsewhere in the UK.

Michael Matheson: The member makes an important point about INTOG; we are actively considering the issue at the moment. However, he will be aware that the cap is to help to generate innovation and to drive new technology in the sector. The danger of raising the cap to a much higher level is that we will not drive innovation and development of new technology. That is part of the

thinking, as we seek to strike the right balance in the sector.

Michael Marra: I certainly understand the cabinet secretary's intent as regards the scale of projects and his view of the need for a cap, but if financing of projects of up to 100MW is unrealistic, the kind of innovation that he hopes to bring about will not happen. Therefore, he must engage. I hope that once we have the revised INTOG guidelines—I believe that the process is under way—they will reflect the reality of what is required to make such projects happen.

For far too long, we have had rhetoric and grand promises. If we do not develop stepping stone projects to build the supply chain in advance of ScotWind, we will find ourselves in the same old cycle of work going overseas. The decision on whether to raise the INTOG innovation cap is not a matter for Westminster; it rests with the Scottish Government alone. I hope that the raising of that cap is a practical step that the Government can take on the back of today's debate.

16:12

Mark Ruskell (Mid Scotland and Fife) (Green): Here we are again, debating a groundhog day motion on oil and gas from the Tories. It seems that they are having trouble keeping up with the changing world and the changing nature of the debate.

For Mr Kerr's sake, let us rewind a bit and go back to what the world was saying all those months ago in the run-up to COP26. The United Nations secretary general said that countries should

"end all new fossil fuel exploration and production and shift fossil fuel subsidies into renewable energy."

I say to Mr Kerr that that is about getting real.

The International Energy Agency said:

"If governments are serious about the climate crisis, there can be no new investments in oil, gas and coal, from now—from this year."

That is about getting real.

Lord Deben, who is chair of the UK Climate Change Committee, told Mr Kerr in this very Parliament that

"the justification for any new oil and gas exploration or production has to be very strong indeed, and I cannot say that I have seen that so far."—[*Official Report, Net Zero, Energy and Transport Committee*, 31 August 2021; c 20.]

That is also about getting real.

Liam Kerr: Will the member take an intervention?

Mark Ruskell: I will in a minute.

In September, in response to the recent gas price crisis, the UK Secretary of State for Business, Energy and Industrial Strategy, Kwasi Kwarteng, said that the way forward was

“to build a strong, home-grown renewable energy sector to further reduce our reliance on fossil fuels.”

That is also about getting real.

Liam Kerr: Will Mr Ruskell give way?

Finlay Carson (Galloway and West Dumfries) (Con): Will Mark Ruskell take an intervention?

Mark Ruskell: If there is time in hand, I will give way to Mr Carson.

Finlay Carson: Mark Ruskell talks about getting real. Does he welcome the fact that the UK might have to import oil and gas from abroad, with a larger footprint, to ensure that we have a just transition?

Mark Ruskell: That is precisely why the Scottish Government is now assessing what our domestic energy requirements are and how those requirements relate to the fields that we have in the North Sea, where we have 6 billion barrels of oil and gas, some of which could meet our domestic energy needs.

I will take Mr Kerr to November, COP26 and the Glasgow agreement. In the text of that agreement, there was a welcome recognition of the need for a just transition and of the need to phase out fossil fuel subsidies. However, the failure of the agreement to commit to a global phase-out of coal was largely due to there being no matching commitment from richer countries to phase out our oil and gas.

It is clear what the world has to do to keep 1.5°C alive. The only responsible way forward globally is a managed transition and phase-out of oil and gas over time, rather than a sudden and deferred collapse in the future. Colin Smyth is right to remind the Tories of their unjust transition for coal mining communities in the 1980s, which left so many generations on the scrap heap.

A managed transition is the only way that we can ensure that oil and gas workers are not left behind. It is disappointing to hear the industry continue to make the case for the licensing of new reserves. Mr Kerr will have heard Oil & Gas UK speak yesterday at the Net Zero, Energy and Transport Committee about how it wants to upscale from 6 billion barrels to 18 billion barrels in the North Sea in the years ahead, and how maximum economic recovery is somehow consistent with both a just transition and the goal of 1.5°C. It is no wonder that public polling shows a distrust in the industry to lead its own transition.

We need strategic leadership from Governments to protect the climate and workers.

We need to work within our planetary limits. That should not be a barrier to innovation and the growth of business opportunities, because it is the very catalyst that we need for change and to create new markets, crowd in investment and deliver long-term stable and fair jobs for the future. That is the debate that we will be having in the chamber, but it looks as though the Tories are not interested in having it.

16:16

Tess White (North East Scotland) (Con): In the north-east, which is the region that I represent, the offshore oil and gas sector is worth more than £18 billion to the local economy. It supports 65,600 jobs. It might feel like groundhog day to Mr Ruskell, but a fair and managed transition to net zero is critical to those communities and their economic and emotional wellbeing.

The SNP-Green coalition spends a lot of time talking about a just transition, but it is becoming increasingly clear that it simply does not understand what that means. We need a responsible transition to net zero that takes existing energy demand into account, protects our energy security and safeguards the jobs of workers in carbon-intensive industries.

Last week, Patrick Harvie suggested that it was extreme to keep expanding oil and gas exploration in the North Sea. He seems to have succumbed to the fallacy that cutting off domestic supply means that demand for fossil fuels will disappear—and I will not take an intervention on that point. It will not disappear; instead, we will rely increasingly on imports from countries such as Russia and Qatar, losing thousands of jobs for no environmental gain. That is an odd position for the so-called Greens, when outsourcing oil and gas production overseas ignores the huge carbon footprint of doing so. Mr Ruskell might smile at me, but it is not funny.

LNG imports from abroad are far more carbon intensive than domestic energy production—more than twice as much. Let us be clear: in all UK Climate Change Committee scenarios, oil and gas accounts for between 47 per cent and 54 per cent of total cumulative energy demand between 2020 and 2050. All those scenarios are net zero compatible.

Let us not forget that the SNP made a second oil boom a central pillar of its economic policies for independence just a few years ago. “It’s Scotland’s oil”, they said. That is their narrative. Now, they have cost us the Cambo project and the 1,000 jobs that went with it. Astonishingly, the First Minister told MSPs that the new oil field should not be given the “green light”, even before the Scottish Government has completed a programme of work

and analysis to understand Scotland's energy requirements. How is that credible?

This is not a just transition. For a couple of headlines, the SNP and the Greens are recklessly pushing the oil and gas industry over a cliff edge, risking taking countless communities in the north-east with it. It is shameful.

Labour would be wise to listen to the GMB general secretary's scathing criticism of the "cheerleaders for Cambo's shutdown". He said that they

"aren't just throwing energy workers under the bus, but also our security of supply for the gas we will still need on the road to 2050."

That was the GMB.

Colin Smyth: Will the member take an intervention?

Tess White: No, I am in my final few minutes.

Colin Smyth: Do you know that I am a member of the GMB?

The Deputy Presiding Officer: Less chat from a sedentary position, please.

Tess White: Thank you, Presiding Officer.

We all recognise that we must take action on climate change. The energy sector is not just alive to the climate crisis; it is at the forefront of the low-carbon energy transition. Now, more than ever, we need the skills, expertise and innovation of the sector to help us to achieve net zero, yet the SNP-Green coalition, complicit with Labour, is determined to target it.

Meanwhile, thousands of hard-working people in the energy sector are getting on with the diversification to renewables that we need for net zero. It is high time that the SNP backed them—and the north-east—instead of its cosy coalition partners.

16:21

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): I had written a speech for the debate that was forward looking, focused and positive—and then I read the Tory motion. "Just transition" is a phrase that gets bandied about a lot these days. It is like the newest buzz word that proves that someone is not cool if they do not use it. It started off as a phrase with genuine meaning and depth, but it has now become a political football, being kicked around all over the place. I suppose that, in politics, it was ever thus.

I am old enough to remember—as are most of the people sitting in this chamber—another time when Scotland was promised a new dawn. There were opportunities in every corner of Britain for those who were prepared to grab them. Then

Ravenscraig tower came down, the ships stopped being built, the pits were closed and we stopped making cars. The political choices of Thatcher's years laid waste to huge swathes of communities right across the industrial heartlands of Scotland, all with promises of jam tomorrow.

Those communities are still waiting for the jam that will never be delivered by the Tories. In fact, the Tories' current Westminster leader actually joked about Thatcher being ahead of her time on reaching net zero by closing the coal mines. She might well have been, but her motivation had nothing to do with climate change. It was just another Tory Prime Minister who cared not a jot for the people of Scotland. Those hard-working communities were utterly decimated and still live with the aftermath of poverty, alcohol abuse, drug abuse and three generations of people who were left to rot.

The Tory motion talks about defending jobs and protecting the industry, but it does not ring true and hypocrisy is utterly dripping from every word. In fact, hypocrisy is something that there is plenty of with the Tories here. There is hypocrisy in wanting to suck out every last drop of oil that is left in Scotland's seas, which simply does not chime with the global reality of our need to stop burning fossil fuels, let alone the UK Government's own target of reaching net zero by 2050.

If the Tories' motivation for wanting to drain every last dollar of oil from the North Sea was really to protect the fabulous workforce and use the revenue for the direct benefit of the people of Scotland, I could have some sympathy with the motion, but it is not. It is about bleeding our natural resources dry and siphoning off the money to be swallowed up by Westminster's vanity projects, while at the same time completely bypassing the democratically elected Parliament right here, in Scotland.

Had an oil fund been established, as happened in Norway, for the direct use of this Scottish Government—oh boy, we could be doing with such a fund now, because, let us face it, the Norwegian fund is now up to \$1.5 trillion—again, I could possibly have sympathy with the motion. Alas, there is nothing. Instead, Westminster will not even talk to the Scottish Government about devolved borrowing powers, so that we can make the decisions about how we fund what this Government needs to manage the devastation of Covid, let alone reduce our carbon emissions while retaining a world-class workforce in meaningful, well-paid, long-term jobs.

What have we got to show for the vast wealth that has been taken from our seas? We have a fantastic workforce in the north-east, but that had to be, because the oil was off our coasts. We have an infrastructure that can see us into the next

stage of developing opportunities to harness energy from nature. Again, that had to be, because that infrastructure was needed to get access to our resources.

However, the most advanced carbon capture project in the UK right now does not necessarily have to be in the north-east, so—guess what?—it is not.

Liam Kerr: Will the member give way?

Jim Fairlie: Sit down.

The Acorn project was rejected by the UK Government in favour of far less advanced projects in England, to buy up red-wall votes that it gained in the most recent election.

So much for the Tory motion and its supposed commitment to the folk of the north-east. Acorn has been buried, and that project can grow to its full potential only when Scotland is an independent country with all the powers that we need to be able to maximise every opportunity that our vast wealth and resources offer us. Only then will the people of Scotland get the benefit of all of Scotland's natural resources.

We talk, in Parliament code, about the three-line whip; today's motion from the Tories is nothing more than a whinge. That is probably the biggest let-down of the lot for the north-east energy sector. The Tories are offering nothing and suggesting nothing and—frankly—they do not want to change anything.

The Government motion, on the other hand, talks in detail about the challenges that we face, the number of workers who need to be supported, the timescales that are involved and the money—almost £500 million—that will provide for an actual just transition for the north-east and Moray. I know which way I will vote tonight.

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

16:26

Jackie Dunbar (Aberdeen Donside) (SNP): I am pleased to have the opportunity to speak in this debate. It feels a bit like *déjà vu*, because I spoke about the issue in last week's debate on the just transition. I will probably use some of my words from last week, Presiding Officer, so please forgive me.

It is no surprise that the north-east has relied on the oil and gas industry for many years to provide vital jobs and investment in the region. As a result, it has flourished. My family has been brought up with money that was earned through the oil and gas industry. My other half has worked in the industry for most of his life and my daughter is now an operational technology engineer who

spends an awful lot of time on oil rigs doing her work—dinna ask me exactly what she does, because she is a lot brainier than I ever will be.

Douglas Lumsden: The member obviously understands the importance of the oil and gas industry. Does she agree that projects such as Cambo need to go ahead, for the prosperity of the north-east?

Jackie Dunbar: My understanding is that it is Shell that has put the kibosh on Cambo.

It is a pity that we cannot agree that what we are trying to do here is protect jobs in the north-east—that is what I am doing—instead of making speeches that, shamefully, try to scare the folk of the north-east into believing that we are shutting down the oil rigs tomorrow. That is an absolute disgrace and I am getting sick and tired of hearing it every day.

Yesterday, at the Net Zero, Energy and Transport Committee, we heard from Professor Haszeldine, who was absolutely brilliant. He talked about why Acorn was not selected. Some of what he said was spot on, and it might come as a surprise to some members. I will read a paragraph from his submission:

“Acorn has long been recognised as being the best-investigated and most mature of all the UK decarbonisation clusters. It is also low risk, because the pipelines exist, the storage site is very well investigated, and minimal new infrastructure is needed. Acorn also opens up access to 80% of the geological storage around the UK, of many diverse geological types, providing the highest chance of developing secure storage geol”—

geology; sorry, my teeth need putting back in—

“and Acorn can rapidly develop supplies of CO₂ by shipping from sources around the UK”.

Those factors were not taken into account when people were looking at the contracts.

The Acorn development is huge for us in terms of moving forward with a just transition. However, the UK Government has put it in reserve. I am no expert on this, but I was told yesterday that that means that the companies that are developing technologies and investigating new ways of doing things in relation to it have no way of getting recompense—

Liam Kerr: Will the member take an intervention?

Jackie Dunbar: I am sorry, but I am just about to finish—I have only 20 seconds left.

The fact that it is on a reserved list means that those companies have no way of getting recompense for the money that they are spending, because there is no guarantee that Acorn will come on stream. That is what is shameful.

16:30

Michael Marra: Talk about déjà vu—here I am again. We have had versions of this debate over recent weeks and I do not share the regret that I have heard some members express about that. The country faces no more important economic issue than this. We should be talking about it time and again in the chamber and we should be talking about practical interventions that the Government should be taking. I would be happy to talk about the issue as often as we can, because, as I began my earlier speech by saying, there is nothing that is more important to my region—or to the entire country—than doing something about the just transition, and doing it properly.

I am afraid that, in this short debate, the Government has maintained the position of being heavy on rhetoric and light on reality-based solutions. We have to have a Government that is engaged less in issues of grievance and more in trying to bring forward solutions and work with other Governments, in this country and abroad, to try to help deal with this situation and to bring opportunity to the country.

The minister is keen to highlight the Acorn project, but I am afraid that, as various SNP members have done, he does so very much with a tone of grievance. However, we know that carbon capture is vital to the statutory targets that have been voted through by the Parliament and were meant to be adopted by the Government. If there is not a solution on the table right now, through the current process, it is up to the Government to find a different way of creating a process, finding capital on international markets, finding investors and working with partners to make that happen.

I absolutely agree that the refusal of the track 1 status for the carbon capture project in the north-east has been a setback. However, the reality is that a solution has to be found. When I asked the minister a few weeks ago how many times he had met the UK Government to pursue the issue, he told me at that time that he had met it at least two or three times to pursue the issue, but it turns out that he has not met it at all—

Michael Matheson: That is not true.

Michael Marra: I am afraid that a freedom of information request for details of the cabinet secretary's diary absolutely confirmed that no such meetings took place.

Michael Matheson: Off the top of my head, I recall that, the very day before the UK Government made its announcement, I had a call with Greg Hands in which I raised the very issue of the Scottish cluster with him and asked whether, when he announced his net zero strategy, he would announce the outcome of the work on that, given its importance to the Scottish economy. That

is one very good example of exactly when I discussed the matter with the UK Government.

Michael Marra: The cabinet secretary—

The Deputy Presiding Officer: I get to reintroduce you to the debate, Mr Marra.

I call Michael Marra.

Michael Marra: Apologies, Presiding Officer.

I would be happy to provide the minister with the response to the FOI request that shows that no such meetings are detailed in his diary. I assume that notes will be available from those meetings, if he believes that they actually took place.

We need a Government that is able to walk the walk rather than talk the talk. Paul McLennan talked about people letting Scotland down. It is the job of this Government and this Parliament to lift Scotland up and to find solutions rather than finding conflict at every turn.

We have to get practical. I would like to hear the minister address the practical suggestions that were made by Labour members, such as lifting the cap on offshore wind innovation projects and say what can be done in that regard. Another suggestion involves moving to monthly auctions for offshore wind licences in order to build the pipeline and stimulate more companies that can develop different products. I do not think that having yearly or bi-yearly auctions for offshore licences is stimulating throughput in the pipeline. Port directors around Scotland have highlighted that to me in recent weeks.

We also need to look at increasing domestic content. The UK Government introduced a contract this week that had no requirements for domestic content, whereas the US Government is introducing 55 per cent limits on that. There is a lot that we can all do.

We need to get real about the issue and we need to get deeply practical. The more often that we can discuss this—and the further that we can move away from the conflict and rhetoric that many members bring to the chamber—the better, because jobs in the north-east and the future of the Scottish economy depend on it.

16:35

Michael Matheson: Like others, I welcome the debate on a sector that is so important to the Scottish economy, given the role that it will play in helping to support and sustain an economic and energy transition in Scotland. My view, and that of the Scottish Government, is that the skills and assets of our oil and gas sector in Scotland are a strength in that transition. They will help to support the move towards low-carbon energies, which will serve us in the years ahead.

Colin Smyth was right to say that we are operating on borrowed time. The backdrop to the debate is that, in the face of the twin crises—the climate crisis and biodiversity crisis—we need to ensure that the actions that we take on energy policy in the years ahead reflect the global climate change challenge that we all face. There might be different views in the Parliament on how we should do that—the pace at which and manner in which it should be done—but I believe that no member does not recognise that we need to deliver a just transition for the people who are employed in or depend upon our oil and gas sector.

Members who are old enough to have lived through the economic, social and community disaster that was created by the closure of our coal pits and steel mills cannot, given the intergenerational impact that that had, allow it to be repeated. No Government can allow that and this Government will not stand aside and allow such a repeat of governmental failure.

Liam Kerr: Last week, Gary Smith of the GMB said that workers

“have been lied to ... because the Scottish Government ... have been ... promising tens of thousands of jobs in the renewables sector and these jobs have never materialised.”

Was he right?

Michael Matheson: No, he was not, but I understand that his view of energy policy is not consistent with the Scottish Government's. For example, he would like there to be more nuclear energy and we do not support that.

However, I recognise that we need to do more to grow and develop our renewable energy sector. I referred to a good example of that in the past week: the new factory that is being developed at Nigg. That is a good practical example of a facility that was largely used for oil and gas purposes being converted into an important facility to help to support the transition to renewable energy.

I will pick up on the point that a number of members made about growing and developing our offshore energy sector, particularly the renewable energy elements of it.

Members will be aware—I refer to Colin Smyth's speech—that we are going through the ScotWind process that involves the leasing of the sea bed in a number of different parts of Scottish waters. It is the first time that we have had such a leasing programme because, previously, the matter was controlled by the Crown Estate at a UK Government level. Now that we have devolved competence in that area, we are ensuring that a clear statement of intent on how those who secure leases will support the domestic supply chain is embedded in the process. That is starting to materialise in the decision that was announced in relation to Nigg last week. However, we absolutely

need to develop it and grow it further. We also need to ensure that we capitalise on it.

I will pick up on Michael Marra's point on the INTOG process. It is out to consultation, but it is important that we do not let the oil and gas industry off the hook and let down the innovative businesses that seek to develop technology that could help to decarbonise oil and gas facilities at sea through the use of renewable energy by simply lifting the cap to a level that compromises their ability to do that.

I hear those in the industry who say that we should just do what the UK Government is doing. There may be merit in doing that, and I am not ruling it out, but I do not want to simply remove the challenge to the oil and gas sector to decarbonise their operations, or let down those in the renewables sector who need us to support innovation.

We need to ensure that, while we listen to the views of the industry, we do not simply back away from challenging it in the process. We will take those views into account, and I will undertake to write to Mr Marra with more details around how we will consider them as part of the consultation, if that would be helpful.

Finally, I turn to the importance of the Scottish Cluster. No one should be in any doubt about the critical importance of the role that the Scottish Cluster plays, not just in the decarbonisation of key parts of the Scottish oil and gas industry, but in helping us to meet our climate change targets. The UK Government will not be able to achieve its own climate change targets without the Scottish Cluster.

The reality is that, if we are to deliver a just transition for our oil and gas industry, all Governments need to play their part. That includes the UK Government, which must play its part by supporting the cluster and moving it into track 1. In doing so, it will start to demonstrate the ambition and leadership that is necessary to ensure that we deliver for the north-east of Scotland and the oil and gas sector, and on our climate change targets.

I believe that there is a good future for our oil and gas sector in Scotland in supporting us to move towards low-carbon energies. The Scottish Government will do everything in its control to ensure that we deliver on that vision in the future.

The Deputy Presiding Officer: I call Douglas Lumsden to wind up the debate for the Conservatives. Mr Lumsden, you have seven minutes, in light of the fact that the cabinet secretary had six.

16:41

Douglas Lumsden (North East Scotland) (Con): It is telling that, when it comes to defending the thousands of jobs in the north-east, it is the Scottish Conservatives who bring the debates to the chamber. Every other party seems to have abandoned the energy industry.

I offer Mark Ruskell and Jackie Dunbar no apologies for bringing such a debate to the chamber again today, because we will bring up the issue any time in order to defend the thousands of jobs that are at stake in the north-east. The Conservative group is 100 per cent behind our transition to net zero—there is no doubt about, and no questioning, that commitment—but we believe in just that: a transition, with no cliff edge, no immediate stop to oil and gas production, no uncertainty for workers and a coherent plan to protect the north-east.

At present, the SNP-Green coalition has no plan. It is creating a huge amount of anxiety in my region, and is threatening the oil and gas industry with a cliff edge that could harm us all. Its approach is putting tens of thousands of north-east jobs at risk, which will have a devastating impact on the economy of not just the north-east but Scotland as a whole.

That brings me to some of the contributions that we have heard today. Liam Kerr rightly mentioned Russia, Qatar and Norway, which will be looking on gleefully as the First Minister shoots herself in the foot and strengthens jobs and the economies in those countries.

Paul McLennan asked twice: who is supporting Acorn? I can tell him now, because he would not take an intervention. The UK is supporting Acorn, to the tune of £31 million so far. I tell Jackie Dunbar that that is real support. There is nothing, I believe, from the Scottish Government.

We also heard from the cabinet secretary. He spoke once again about the £500 million transition fund that was in the budget last week. We heard about £20 million of capital funding, but as yet we do not know whether companies have to bid in or whether there are projects in the pipeline. There are absolutely no details whatsoever. Liam McArthur rightly pointed out the importance of jobs and retraining, but he mentioned, as other members have, the lack of detail on the transition fund.

The debate is taking place not only in the Parliament; others outside the chamber are having a say. The former SNP First Minister, Alex Salmond, said at the weekend that the SNP had “kicked the north-east in the teeth”.

He gets it. Union leaders get it, too, John Boland from Unite the union and Jake Molloy of the

National Union of Rail, Maritime and Transport Workers both spoke of their fears after hearing the news that Shell had withdrawn from Cambo. They are right to be worried.

I sit on the Finance and Public Administration Committee, where witness after witness gives evidence that shows that our economy is in serious trouble. Much of that is driven by this coalition, with the Greens pulling the strings. Compared to the rest of the UK, our tax intake per person is lower and getting worse, our welfare bill is rising faster, our working population is falling, economic growth is lower and recovery is slower. The complete incompetence of this devolved Scottish Government is an absolute disgrace.

We cannot simply throw that industry over the cliff edge and expect our economy to weather it, because it will not. There are significant consequences that this devolved Government and its coalition partners fail to acknowledge or address. Transition means just that—a steady and progressive move from large-scale production in the north-east to a more balanced picture between renewables and oil and gas. We have to be realistic and we have to take account of all our responsibilities.

As a Parliament, we have to consider all aspects of the transition from oil and gas, such as the fact that we need to know where the oil and gas that we still need comes from. We cannot simply import from other countries that have weaker environmental standards than we do, because that would be counterproductive and irresponsible. The transition has to include ensuring that we have adequate resources at home, so that our citizens can stay warm without relying on imported oil and gas at increased cost to our pockets, workforce and global environment. A transition means moving towards renewables quickly, but in a managed and structured way, so that we protect jobs, livelihoods and the economy.

Some of the statements from the SNP-Green coalition have been very disturbing, as Liam Kerr mentioned earlier.

Stephen Kerr (Central Scotland) (Con): Will the member give way?

Douglas Lumsden: Yes, I will.

Stephen Kerr: How embarrassed must the SNP be if it brings the Green minister into the chamber to listen to the debate but does not let him speak?

Douglas Lumsden: It is probably a good thing that we do not hear him speak, but I am glad that he is here, because I want him to address something that I will say later on.

The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights (Patrick Harvie): I will speak if he wants me to.

Douglas Lumsden: I will be pleased if he does.

Patrick Harvie: I am grateful to the member for giving way. The Conservatives, not necessarily here, but at Westminster, are still selecting as candidates—as politicians—people who are outright climate deniers and who have moved on from supporting Brexit to opposing lockdown and are now forming the net zero scrutiny group to oppose climate action UK-wide. How embarrassed are the Tories about that?

Douglas Lumsden: The most embarrassing thing is that we have a Scottish minister who uses language like that and who has been put in charge. It is unbelievable.

Perhaps Patrick Harvie should take note of Sir Ian Wood's comments last week, when he said that politicians should

"reflect carefully on their public statements on oil and gas and the impact they have on investment in the industry".

He added:

"We must not create an adverse investment environment at this crucial moment in our energy transition journey. The future prosperity of our region and the country's ability to meet net zero, depends on it."

I draw attention to the comments of the Green minister Patrick Harvie, who joins us today, calling supporters of oil and gas in the north-east "far right".

Patrick Harvie: No, I did not.

Douglas Lumsden: Those were shocking statements, which call into question his ability to serve as a Government minister.

Patrick Harvie: On a point of order, Presiding Officer. I suspect that the member knows that I did not use the words "far right" and that he is well aware that he is misleading the chamber. If my suspicion is wrong, I will apologise, but, if he is aware that he is using words that I did not use and that I used the words "hard right" to describe him and his party, not anybody else, then I suspect that he should withdraw his comments.

The Presiding Officer (Alison Johnstone): Mr Harvie is aware that the content of members' contributions is not a matter for me, so it is not a point of order, but a mechanism exists by which members can correct their contributions.

Douglas Lumsden: Only a few hours later, my constituency office was vandalised, with swastikas spray-painted on the door and windows. The police are treating that as a hate crime. I am not telling the police how to do their job, but perhaps they should consider that a member of this Parliament instigated that attack.

The Presiding Officer: Mr Lumsden, can you please conclude your remarks, as we are over time?

Douglas Lumsden: The debate—

Michael Matheson: That is outrageous.

Douglas Lumsden: It is shameful. The language is shameful.

The debate is an opportunity for all parties to agree that we need to transition away from oil and gas in a sensible and sustainable way, without throwing thousands of north-east jobs under the bus.

The Presiding Officer: Please conclude.

Douglas Lumsden: The damage that is being caused by the comments—

The Presiding Officer: Please conclude, Mr Lumsden.

Douglas Lumsden: The damage is heartbreaking.

Today's debate is our opportunity to send the message that the north-east of Scotland is open for business.

The Presiding Officer: That concludes the debate on backing the north-east economy.

Stephen Kerr: On a point of order, Presiding Officer. Given the technical issues that surrounded the use of BlueJeans today, and the decision to perhaps defer votes to tomorrow, can you shed some light on when exactly those votes might be held during the course of tomorrow's business?

The Presiding Officer: I cannot confirm at this moment, as the situation is being further investigated, but I will update the chamber as soon as possible.

Martin Whitfield (South Scotland) (Lab): On a point of order, Presiding Officer. One of the Labour speeches in the next debate would have been given remotely. Due to the technical difficulties that have already been referred to, I ask for your indulgence to allow me to deliver a speech on behalf of Claire Baker during that debate.

The Presiding Officer: Thank you, Mr Whitfield. You may certainly do so.

Ending the Not Proven Verdict

The Presiding Officer (Alison Johnstone): I remind members of the Covid-related measures that are in place and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

The next item of business is a debate on motion S6M-02553, in the name of Jamie Greene, on ending the not proven verdict. I ask members who wish to participate in the debate to please press their-request to speak buttons now.

I call Jamie Greene to speak to and move the motion.

Jamie Greene (West Scotland) (Con): There is nobody on the Government front bench.

The Presiding Officer: You are quite right: there is no one on the Government front bench.

There is now. Thank you.

16:51

Jamie Greene (West Scotland) (Con): I am pleased and privileged to use our precious commodity of Opposition business to have today's debate. [*Interruption.*] Apologies, but may I continue?

The debate is important. Tomorrow, I am launching the consultation for my member's bill, the victims (criminal justice and fatal accident inquiries) (Scotland) bill. It is not the catchiest of titles, but contained in the bill there are a number of sensible proposals that seek to strengthen the rights of victims in Scotland, empowering them in relation to decisions that affect their daily lives and granting them wider access to information that they should already be given freely. The bill seeks to make them feel safer by ensuring that dangerous criminals stay away from them, their homes and their families.

None of the above should be controversial or seem unreasonable to us as a Parliament. I would even go as far as to say that improving the rights of victims of crime should be wholly incontrovertible and not even require a member's bill in the first place. However, we are where we are.

When the consultation is published tomorrow, I will ask members, the Government, stakeholders and the wider public to look carefully at my proposals and respond with their views and opinions. However, there is another part to my bill, which forms the basis of my motion—our call to end the three-verdict outcome in the Scottish courts through the removal of the not proven verdict. We do that unapologetically. It was an explicit promise in our manifesto, an issue on

which we have led the way and one on which we now want Parliament to finally take a stand. I cannot see why we would not want to do so.

Of course, there is opposition to the proposal—change is not always welcome, and change is not always easy. It would be the most profound overhaul of the justice system in 300 years. However, we are not alone in that position—every party went into the Scottish election promising action. It is not a new debate, which makes my point. We have been having the debate for years, for decades, for centuries. The debate goes from as far back as 1846, when the system was criticised, to as recently as 2013, when a private member's bill to abolish the verdict was considered in the previous session of Parliament. Five years ago, Christine Grahame, who was then the convener of the Justice Committee, said:

“the not proven verdict is often deeply unsatisfactory for victims and is often no better for the accused. Like many members of the committee, I believe that the not proven verdict is on borrowed time.”—[*Official Report*, 25 February 2016; c 81.]

Its time has run out and now we must act.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I am delighted that the member is trolling the archives for my words of wisdom, but he will also recall that, at the time, I opposed the abolition of corroboration because not proven, corroboration, the size of jury and having a majority or a unanimous verdict are all interlinked, so it is a very complex issue.

Jamie Greene: I am glad that the member raises that issue, and I will cover that point explicitly in my comments.

I hope that there is consensus in the chamber on the need to act, because I think that there is consensus that the current three-verdict system is simply not fit for purpose, not least for the victims of the sort of crimes that we often talk about in this chamber—women and girls, mostly, who suffer gender-based violence including domestic abuse, rape and sexual assault; the very people we so often make promises to.

We are very good at talking the talk when it comes to those promises, but now it is time to walk the walk. There must be more than 60,000 criminal cases in our backlogged courts—a number that is growing by the day. More than 70 per cent of trials in the High Court relate to serious sexual offences. We know that the prosecution rate of rape trials is abnormally and unacceptably low. Last year, out of more than 2,000 reported incidents, only 130 were successfully prosecuted.

We also know that 30 per cent of acquittals in rape trials were down to not proven verdicts compared with just 17 per cent of acquittals for all

crimes and offences. That clear imbalance must be addressed. That is my view, and that is also the view of the victims of crimes, many of whom are left utterly confused, perplexed, bewildered and even angry after a not proven verdict.

Equally, it leaves a cloud—a shadow of doubt—over those who walk free; those who have been found neither guilty nor not guilty. It was put by Professor James Chalmers as being a verdict that

“stigmatises the accused, operating by a nudge and a wink, carrying a meaning which no-one is willing to articulate”.

I make the case today that, if the accused is not guilty, they deserve to be labelled as such. Our proposition is widely backed by those on the front line who are helping the victims of crime, including Scottish Women’s Aid, the Scottish Women’s Rights Centre and Rape Crisis Scotland, which publicly stated that there are

“real worries that the existence of the not proven verdict gives juries in rape trials an easy out and contributes to guilty people walking free.”

The First Minister was very clear on the not proven verdict. She said that

“there is mounting evidence and increasingly strong arguments that the not proven verdict”

is part of the low conviction rate.

Humza Yousaf, when he was the justice secretary, said that the research was absolutely clear that the not proven verdict causes

“confusion for many jurors”

and

“causes significant distress.”

I do not disagree with Humza Yousaf, nor do I disagree with the First Minister. Neither do I disagree with Lorna Slater, who said that the

“ambiguous third option ... is confusing ... and unfair on both complainers and the accused”

and that

“its time needs to end.”

Its time does need to end, which is why I am asking them and every other member to demonstrate today that we mean what we say and that we will deliver on what we promised in our manifestos.

I will address the point that the not proven verdict cannot be changed in isolation. I accept that. Corroboration, the size of juries, majority verdicts, juryless trials and dedicated specialist courts are all live, connected and important issues. However, those should not act as barriers to change or reasons to delay. The fact that something has always been that way does not mean that it should always be that way. The question that we should be asking ourselves is

what we need to change in our trials, courts or juries to facilitate that move. We need to consider the “what”, not the “if”. In doing so, we should make the voices of dissent part of the solution to change, not a barrier to it.

At the end of the day, we sometimes need to make difficult decisions. We often say that the issue has been rumbling on for years. It has been. I am asking members to set aside their prejudices against or views on the motion. I am asking them not to kick the issue further into the long grass. Doing that is simply not an option. Doing nothing is not an option. Delay is not an option. By voting for my motion, we can and will send a strong message to the victims of crime that we, as a Parliament, are willing to act now. We must act.

I move,

That the Parliament believes that the current three verdict judicial system in Scotland’s criminal courts is not fit for purpose, as it frequently does not deliver justice for the victims of many heinous crimes, including gender-based violence, rape and domestic abuse, and therefore calls for the removal of the not proven verdict.

16:59

The Cabinet Secretary for Justice and Veterans (Keith Brown): Just to be clear, I will move the amendment in my name and I will also support the Labour Party’s amendment. I will not support the motion from Jamie Greene. I should also say at the outset that I intend to look at the bill that he intends to bring forward. I will look at it genuinely to see whether there are further things that we can do. He is right to say that we should continue to try to improve how victim centred our system of justice is. It is my view that much of what I know of the bill—and I do not know all about it—replicates things that we already do or that are in train. However, I will look at the bill in good faith.

The Scottish legal system has evolved substantially over the centuries, and it is vital that the justice system develops in response to new evidence and in line with the values of the people of Scotland. Jamie Greene rightly said that he was following through on a manifesto commitment, and that is exactly what I am doing when I say that we will consult on the issue. That is what we said we would do. He is right to have quoted the First Minister, who said that there is a strong case for looking at this again. I reflect and agree with those sentiments. Our commitment is to consult on this.

Juries have played a crucial role in the Scottish criminal justice system for hundreds of years, and I am grateful to those who have carried out the important public duty of serving on them. It is, however, important that we reflect on the findings of the independent jury research that was published in 2019, which was not available during

the earlier considerations by Parliament and other parties, which Jamie Greene referred to. It was the largest and most realistic study of its kind ever undertaken in the United Kingdom. It considered the unique Scottish jury system of 15 jurors, three verdicts—including not proven—and the simple majority. Those things are inextricably interlinked. The research highlighted inconsistent views on the meaning and effect of the not proven verdict and how it differs from not guilty.

It is also vital that we involve the public and stakeholders in these discussions. That is why, after the report's publication, we held events across the country with legal professionals, the third sector and survivors. I have had a number of conversations with survivors, as I know Jamie Greene and others have also had, in which concerns have been raised regarding the not proven verdict, such as a lack of understanding, perceived stigma and the trauma that the verdict can cause.

I am also aware that, more recently, the third verdict has been criticised due to the higher rates of not proven acquittals in rape and attempted rape cases. Some campaigners have suggested that the existence of the third verdict might contribute to the acquittal of defendants who committed an offence and therefore causes particular trauma to victims.

I take the views of survivors very seriously. As I said, I have spoken to them directly. Furthermore, in our programme for government, we have committed to giving serious consideration to the recommendations of the Lord Justice Clerk's review on improving the management of sexual offence cases. That report has the potential to drive transformational change across the system, beyond sexual offence cases. However, these are complex issues, and many other stakeholders have made their views clear that the third verdict should be retained or—as I have tried to do—they have highlighted the interconnectedness of the system, emphasising that the three verdicts, a simple majority being required for conviction and the size of the jury are so interrelated that it would not be possible to meaningfully assess those factors separately from one another. Others argue that the corroboration rule, which requires more than a single source of evidence, should also be part of the consideration.

Earlier this year, over 1,000 Scottish-qualified solicitors took part in an online survey and responded to a question on what the legal profession thinks about the current three-verdict criminal justice system in Scotland. Over 70 per cent of those who responded said that they believed that the not proven verdict should be retained, primarily due to their view that it provides

an important safeguard to prevent wrongful convictions.

Jamie Greene: The cabinet secretary seems to be going to great lengths to excuse the status quo. He is the fourth justice secretary to promise action on the issue. What comfort can he give victims of crime that the Government will finally take the action that it promised them?

Keith Brown: I think that it is really wrong for Jamie Greene to characterise what I have said up to this point as defending the status quo. I am laying out the reasons why we are consulting on the issue. In consulting on it, I am doing what my party said that it would do when we won the election a few months ago. He is right to pursue his manifesto, and I am pursuing mine. It is not a surprise to anybody that we would do it in this way.

I have just mentioned that 70 per cent of those lawyers who were polled were for retaining the verdict. I think that it is right, even if I were not to agree with them, that we should consult the legal profession as we go forward with what he has rightly said is one of the biggest changes to the legal framework in many years. We are doing what we said we would do.

Furthermore, we have to be mindful that the not proven verdict affects all cases, not just sexual offences. In 2019-20, there were 1,039 not proven verdicts, the majority of which were for crimes that were not sexual in nature. We cannot simply disregard the complexity. The implication of the motion is that we should go straight to abolishing the not proven verdict, regardless of the other things that are related to it in the system. I do not support that—I think that we have to consider those things together. We also have to take into account the opposing views, some of which I have just set out.

I have been very clear, however, that I have serious concerns about the not proven verdict. That is not a justification of the status quo. There is clearly a breadth of informed and principled opinion on the matter, and we owe it to all in the justice system to robustly consider and, where appropriate, challenge those views. We need a holistic, evidence-based approach in which we address the whole system as well as considering wider potential reforms—such as those that I mentioned from the Lord Justice Clerk's review—instead of rushing to action without pausing to think through the consequences for the rest of the system. That is why, earlier this week, the Scottish Government launched a consultation on those interrelated matters. I encourage all those with an interest to consider it and respond in due course.

As I said, some argue that the corroboration rule regarding a single source of evidence should be

looked at. Those are important matters on which many people, whether it is the Law Society of Scotland or the Faculty of Advocates, have very serious views. If we want to make a major change to the system that is sustainable, it is only right that we consult those who are most directly involved in administering the system as well as those who are affected by it. For that reason, I ask the Parliament to support the amendment in my name.

I move amendment S6M-02553.3, to leave out from “believes” to end and insert:

“recognises concerns held by many about the current three verdict system, including issues raised in independent jury research that suggest jurors may have inconsistent views on the meaning and effect of the not proven verdict; further recognises the concerns raised by the complainers of particularly heinous crimes, including gender-based violence, rape and domestic abuse, that the not proven verdict is more often applied in crimes of rape and attempted rape compared to other crimes; notes the strong case that can be made for the abolition of the not proven verdict; further notes that the Scottish jury system is a complex, inter-related system and that verdicts must be considered alongside other key aspects of jury size, majority and corroboration, and against the background of wider, related work, including the recommendations of the Lord Justice Clerk’s review on the management of sexual offence cases, and encourages all those with an interest to consider and respond to the current Scottish Government consultation on the not proven verdict and related reforms.”

17:06

Katy Clark (West Scotland) (Lab): I warmly welcome the debate, and I will move the amendment in the name of Pauline McNeill, which says that we recognise that many survivors of sexual crimes find their experiences of the justice system to be retraumatising, that we believe that improving the experience of women and girls requires changes throughout the justice system, and that we recognise that the current backlog of cases disproportionately impacts on women and girls.

Although the figures for most crimes in Scotland have fallen over the past decade, the figures for sexual offences continue to rise. That might be because more women are reporting offences or it might be that overall levels of sexual violence are increasing. In 2019-20, which is the last year for which we have figures, 44 per cent of rape and attempted rape cases resulted in a not proven verdict. That suggests that there was evidence but that the jury felt that it did not meet the threshold of being beyond reasonable doubt.

In many rape cases, the issue of whether there was consent is the main issue at trial. There is no doubt that society’s attitudes towards women and girls impact on the decisions that juries take. Lady Dorrian’s report looked at that issue and suggested providing better training and support for

juries. Trials without juries have also been suggested, as well as a range of other changes, including the introduction of specialist courts.

On behalf of the Labour Party, I say that the justice system needs to be more responsive to survivors’ experiences, and that includes the police and the courts. There is much agreement across the political parties that are represented in the Parliament on what needs to be done. However, the policy as outlined by the Government and the authorities is very different from the testimony that we hear from survivors, who continue to describe their experiences of a justice system that they feel fails them, that they find to be traumatic and that does not work for them. The Criminal Justice Committee has met survivors, some of whom still have cases going through the system, and it is clear that they feel that the justice system continues to fail women.

We need a justice system in which staff dealing with cases in every part of the system are trained in trauma-informed approaches. Problematic attitudes towards sexual violence need to be addressed in all parts of the justice system, including in the courts and the police service, through education and changing the way that we deal with cases. It is clear that a range of measures need to be taken to deliver the justice system that victims of crimes often feel they are denied.

The Lord Advocate has said that cases of sexual violence make up 70 per cent of the workload of the High Court. That proportion has increased dramatically over the decades. Of that 70 per cent of cases, 80 to 85 per cent go to trial. Therefore, the current backlog disproportionately involves women and girls as victims of crime. We need to consider how we can deal with those cases more quickly and whether changes could be brought in, perhaps as pilots, that could speed up how those cases are brought to a conclusion.

I welcome the debate that has been secured today by the Conservative Party to consider the not proven verdict as part of a wide range of changes that need to be made to the legal system. Our legal system should have criminal laws that reflect the values of the society that we aim to have. We have a justice system that continues to work in the interests of male perpetrators of violence and against the interests of women and girls. In other cases, too, the interests of victims are not in the centre in the way that I believe we would all want.

I welcome the fact that we are debating these issues today, and I look forward to the rest of the debate. There was previously a member’s bill on the issue, and I know that we will be considering it again. I welcome the fact that the Government has come forward with a consultation to consider the

not proven verdict, in particular, so that all voices can be heard before draft legislation is brought to the chamber.

I move amendment S6M-02553.1, to insert at end:

“; recognises that many survivors of sexual crimes find their experiences of the justice system to be re-traumatising, and believes that improving the experience of victims will require improvements throughout the criminal justice process and that this must start with clearing the backlog of court cases, which disproportionately affects access to justice for women and children, as a priority.”

17:11

Liam McArthur (Orkney Islands) (LD): I, too, pay tribute to campaigners such as Speak Out Survivors, Miss M and others for their courage, candour and commitment to change in order to deliver improvements in how our justice system deals with the heinous crimes of sexual violence and rape against the backdrop of what is happening, as Katy Clark just rightly described.

This proposal has been the subject of cross-party discussions through the course of the previous session and during the early months of this one. I thank colleagues across the Parliament as well as the current and previous justice secretaries for the collaborative approach that has been taken on the issue. The discussions have been informal and behind the scenes, and I think that it is right that we now have an opportunity to debate the matter in a more public sense, so I thank Jamie Greene for providing this opportunity. His motion perhaps jumps the gun, but I think that it points to the right direction of travel. We will support the Government’s amendment as well as Pauline McNeill’s amendment, which makes an important argument about the risks of re-traumatising victims.

For some time, Scottish Liberal Democrats have been sympathetic to calls for the not proven verdict to be dropped. It does not really sit well in a modern legal context, not least because there is no fixed legal definition of the verdict, which was established through custom and precedent in the Scottish courts in the 17th and 18th centuries. We know from the 2019 research that the cabinet secretary referred to that it can be confusing for juries, leading to higher rates of acquittal, as Humza Yousaf has previously acknowledged. It is confusing for the public, too, as it often stigmatises an accused person by appearing not to clear them of charges. It routinely fails to provide closure for victims. The case for change is therefore strong, if not compelling.

However, we do a disservice to those campaigning for change, to those who are tasked with enforcing our laws and to our legal system itself if we ignore or downplay the complexities or

interconnections that I think have been acknowledged this afternoon. I note that the Law Society briefing points to the concerns that have been raised across the profession, even among some of those who are supportive of a move from three verdicts to two.

It is important that we understand those concerns, that we reflect on them and that we seek, as far as possible, to address them. I welcome the launch of the consultation over the past few days. It presents a chance to consider a range of views, including those of opponents, and, crucially, those of victims and those with lived experience.

The consultation will need to consider not just the not proven verdict, as Christine Grahame rightly highlighted in her intervention. It will need to consider the size and make-up of juries and of the majorities that are needed to convict, and the right to legal anonymity for victims in sexual offences prosecutions, which exists in other parts of the United Kingdom but does not exist here, notwithstanding the steps that are often taken by courts to protect that anonymity. It should look again at corroboration, although I hope that lessons have been learned and that the Scottish Government will not seek to rerun battles through the abolition of corroboration. Importantly, it should do more to protect victims from being re-traumatised by the justice system that is supposed to protect them. That was very well picked up in Pauline McNeill’s amendment.

Lord Carloway stated recently that

“Cross-examination should not be used as a means of intimidating or humiliating witnesses”,

and he is absolutely right. There is a great deal of common ground in that area, and I hope that we can continue in that vein while also having the necessary challenge function as we pursue the improvements that we all believe are required.

I thank Jamie Greene again for enabling the debate—if not perhaps for wanting to bypass the consultative process that is needed before we arrive at an end point, which I sense has a growing inevitability about it.

17:15

Meghan Gallacher (Central Scotland) (Con): Three weeks ago, the chamber stood united to condemn violence against women. We remembered women who had had their lives cut tragically short and we promised to improve the safety and wellbeing of women in Scotland.

During that debate, I mentioned that we needed to legislate better to eliminate violence against women. One way of doing that would be to end the not proven verdict, as it is commonly used in

sexual crime, particularly in rape cases. Several women's rights organisations, including Rape Crisis Scotland, have supported the ending of the not proven verdict; their position is clear that that court ruling must go.

During the Scottish National Party's time in government, the number of sexual crimes has more than doubled. The conviction rate for rape currently stands at 46.1 per cent, which is lower than that for other crimes. In 2019-20, the not proven verdict was used as an equal acquittal verdict 74 times in rape and attempted rape cases. That figure makes up 44 per cent of the acquittal verdicts that were issued in the 300 cases that proceeded to court in Scotland. Those statistics prove that the not proven verdict disproportionately impacts women, which is why the Scottish Conservatives are committed to ending it through our victims law.

The Scottish Conservatives first called for the abolition of the not proven verdict more than a year ago. In 2019, "Equally Safe: Scotland's strategy to eradicate violence against women" was published. It contained a commitment to

"undertake research into jury decision making to improve understanding of the factors that influence juries' decisions in solemn criminal cases."

The strategy was published almost three years ago, but the Scottish Government announced that consultation was finally under way only a few days ago. Similarly, the Scottish Greens called for the not proven verdict to be scrapped in their 2020-21 manifesto. Why the delay?

Should the Scottish Government continue to dither over the scrapping of the not proven verdict, the justice system could continue to fail more women.

Keith Brown: Will the member take an intervention?

Meghan Gallacher: I have only four minutes and I would like to make some progress—I am sorry.

We cannot continue to ignore a justice system that favours the perpetrator over the victim. If we do, the words that we all spoke three weeks ago were for nothing and will have achieved nothing.

Today, women and girls are more confident in reporting incidents. Sadly, low conviction rates and incidents of a not proven verdict jeopardise that confidence, which could lead to fewer attacks being reported to begin with. The conviction must be aligned to support women and girls.

We need to go further than ending the not proven verdict. We need other laws, such as Michelle's law and Suzanne's law, to be fully implemented to support victims and their families.

The Scottish Conservatives have pushed for better legislation to support victims, and the Scottish Government must realise that the current justice system is not fit for purpose.

When we look at the amendments, it is clear that political parties are not worlds apart in looking at ending the not proven verdict, but progress has been at a snail's pace. I understand that the justice system is complex and interrelated and I realise the Scottish Government's desire for a consultation. However, we need to realise too that many are frustrated by the time that it has taken for the Scottish Government to take the matter seriously. I can understand why a woman who has been subjected to a heinous crime such as rape might feel at present that the justice system will not allow for them to have closure, free of stigma, should the verdict be viewed as not proven.

I look forward to the day when women and girls feel that the justice system works for and not against them. Ending the not proven verdict is the right thing to do. It is an important step towards stronger legislation that protects women and girls, and I am sure that MSPs of all parties will support that objective.

17:19

John Mason (Glasgow Shettleston) (SNP): Like Martin Whitfield, I am a late substitute to the debate. We shall see how we get on.

We have the three verdicts and the suggestion is that we move to two. That clearly would be simpler and more clear cut than the present system.

I welcome the Government's consultation. It is clearly a more complex question than some are suggesting. As we have heard, among the points to be considered are the size of the jury, the majority required and corroboration, as Christine Grahame pointed out earlier.

Apart from its final few words, I also agree with quite a lot in the Conservative motion and with some of what Jamie Greene said. We want to improve the system. We want to give women who have been victims of rape or other violence a better result.

If we are moving from three verdicts to two, the question for me is what the two verdicts should be. The main suggestion is that we should drop the not proven verdict, but I suggest that that is not the only option. Perhaps we should consider that the two options could be proven and not proven. If the choice is between keeping not guilty or keeping not proven, which is better? Which is more honest? As I understand it, the question for the jury is whether the Crown has proven its case.

Christine Grahame: Beyond reasonable doubt.

John Mason: Christine Grahame reminds me that it has to be proven beyond reasonable doubt.

For example, the accused might be innocent or they might be guilty but the Crown has failed to prove its case. In that kind of situation, is it really right or honest to say that that person is not guilty? Would it not be better and more honest to say that the case is not proven?

I understand that there is some support among legal professionals for the verdicts to be proven and not proven, but I accept that that is currently a minority view and the trend is towards dropping not proven. My purpose is really just to ask that all options be considered and that we do not immediately jump to conclusions about which verdict should be dropped.

Again, I welcome the consultation and I encourage as many people as possible to take part in it. I hope that the Government, Jamie Greene, the Opposition and the whole Parliament will listen to the responses that come in with genuinely open minds.

17:22

Martin Whitfield (South Scotland) (Lab): I give this speech on behalf of my colleague, Claire Baker MSP, who is unable to contribute because of technical difficulties. I also take this opportunity to thank the Presiding Officer and members for their indulgence.

I am pleased to contribute to this afternoon's debate. The motion is focused on the removal of the not proven verdict—a position that I previously supported when my former colleague Michael McMahon promoted a member's bill on the matter. The debate allows for some broader reflection on related issues.

The arguments that were made in 2016 for removing the not proven verdict remain today. Rape Crisis Scotland states that almost a quarter of trials for rape or attempted rape result in a not proven verdict. The verdict is shown to be used disproportionately in rape and attempted rape cases. In 2019-20, 44 per cent of acquittals in rape and attempted rape cases were based on the not proven verdict, in comparison with 20 per cent for overall crime.

There is evidence that juries find the verdict to be confusing. There is the misunderstanding that it is in some way different from a not guilty verdict, or that it provides a third verdict. Rape Crisis Scotland has described it as “an easy out” for juries that results in guilty people walking free. It also results in people who receive the verdict still being regarded with suspicion, as though they have in some way evaded the jury.

I welcome the consultation, but, given that it is more than five years since the then Justice Committee worked on the previous bill, we can anticipate the debate and the positions that will likely be taken. At that time, the Justice Committee described the verdict as “living on borrowed time”. The Government should conclude the consultation, but it should realise that change also requires leadership and that there are parliamentary consensus and manifesto commitments about delivering on the matter.

However, I do not underestimate how difficult the matter is. The briefing from the Law Society of Scotland reminds us that the principles of our system are the presumption of innocence, respect for the rights of all involved and minimisation of the risk of wrongful conviction.

However, I argue that there is, in cases of rape and attempted rape, an imbalance that fails women and girls and denies them justice. In Scotland, only 43 per cent of rape and attempted rape cases result in a conviction, compared with the overall conviction rate of 88 per cent—a figure that is more than double the level of successful convictions for rape and attempted rape.

In 2019-20, 2,343 rapes and attempted rapes were reported to the police—we must remember that it is an underreported crime—but there were only 300 prosecutions and just 130 convictions, which is surely not acceptable. Even though we are talking about a crime that is, overwhelmingly, committed against women by men, that causes extreme distress and trauma, and which can have long-lasting effects on people, it is a crime that is extremely difficult to prosecute. Even when a case is prosecuted, it is difficult to get a conviction.

Rape is a crime that is often not even recognised as a crime, and it is one in relation to which, for the perpetrator, there is a reasonable likelihood that there will be no consequences. We have seen women taking their cases to the civil courts in order to gain justice and have the crime acknowledged, but that is not the appropriate route for the severity of the crime. Following the case of Denise Clair, who bravely waived her anonymity to speak about her experience, I have raised concerns about women having to resort to use of the civil courts.

In 2018, Miss M successfully sued Stephen Coxen in a Scottish civil court, with the sheriff saying that the evidence against Coxen was “compelling” and “persuasive”. That followed a not proven verdict in 2016. It was the first time that someone who had been cleared in a criminal trial was subsequently sued.

Christine Grahame: Will the member take an intervention?

The Presiding Officer: I am sorry, Ms Grahame. The member is now over time and is concluding.

Martin Whitfield: I apologise.

Much is made of the lesser burden of proof in civil cases. Lady Dorrian's report on justice responses to sexual crimes examines the way in which juries hear rape cases. I acknowledge the arguments that are made for reforming the requirement for corroboration in Scots law. Corroboration presents a barrier to convictions in sexual assault cases, but we should recognise that 300 cases did not reach trial in Scotland—

The Presiding Officer: Please conclude, Mr Whitfield.

Martin Whitfield: Under the current system, there is no evidence to support the argument that more cases going to court will result in a higher conviction rate.

The Presiding Officer: Thank you, Mr Whitfield.

Martin Whitfield: More people must experience trauma but achieve no conviction—

The Deputy Presiding Officer: Thank you.

17:27

Fulton MacGregor (Coatbridge and Chryston) (SNP): I understand why Jamie Greene lodged his motion on behalf of his party. He is on the Criminal Justice Committee, as I am, so he has heard at first hand the heartbreaking evidence from witnesses about their feeling that they have been failed, and sometimes—in cases such as those that we are discussing—even retraumatised by the justice system.

However, there can be no doubt that today's motion is nothing more than simple politicking, because Jamie Greene knows, as other members have said, that the Scottish Government is currently reviewing the not proven verdict. As members of the Criminal Justice Committee, he and I both know that there is a genuine and cross-party commitment to ensuring that Scotland's justice system is fair and transparent, and that it meets the needs of modern society. The three-verdict legal system, which is unique to Scotland, has long been divisive, and we all have our personal views on it.

Although it is likely that I share the sentiments of Mr Greene, Ms Gallacher and other Tory members who have spoken on the issue, Mr Greene knows that our legal system is very complex, that we must think carefully about what to do and that we must not make the situation worse for complainers—as Rape Crisis Scotland fears we could.

The detailed and extensive consultation that has been launched will ensure that the matter is considered carefully and that all aspects of it are taken into account. As members know, the consultation opened on Monday and will run until March. The important and integral issues of jury size, the majority that is required for conviction and the requirement for corroboration will also be taken into account.

The issues are complex, and our Parliament has been here before with the requirement for corroboration, to which, ultimately, no changes were made. Therefore, a period of thorough consultation is needed to ensure that we get it right. Unfortunately, that means that the process will take some time, but I would prefer that the job be done well rather than rushed through, with the outcome being its not being fit for purpose. Legal professionals, the third sector and people who have lived experience of the system all need time to give considered opinions. We cannot reach a decision until we have listened to all the key stakeholders and have a full understanding of how all the different parts of the system might work together.

The Scottish Government is committed to ensuring that victims' rights are at the heart of delivering justice. The programme for government promised to make it a priority to put the voices of victims and a trauma-informed approach at the heart of Scottish justice. This year, the Scottish Government will unveil a new funding programme that will ensure that there is practical and emotional support in place for victims, survivors and witnesses of crime.

We will also introduce a new framework that will be specific to the justice system and will give staff the knowledge and skills that they need to understand and adopt a trauma-informed approach. That will help them to support victims more compassionately. Having worked in the social work justice sector, I think that that will really overhaul the system and give victims the support that they need.

Most important is that we will also prepare for the necessary legislative process to appoint a victims commissioner. The commissioner will provide an independent voice for victims, champion their views and encourage policy makers and criminal justice agencies to put victims' rights at the heart of justice.

We also know that serious consideration will be given to the recommendations of the Dorrian review, including those on the introduction of specialist courts and allowing victims to prerecord evidence. The cabinet secretary spoke about aspects of that at a very useful meeting of the Criminal Justice Committee this morning, for which I thank him. That builds on important work that

was done in the previous session—for example, on the Vulnerable Witnesses (Criminal Evidence) (Scotland) Bill, which was passed.

It is clear that we are committed to supporting victims and that the three-verdict legal system is undergoing the review that has been called for and is needed. If anything to make the system fairer and more trauma informed for complainers and victims can be done, we will do it. However, we will not make matters worse, so we must do this with careful consideration. I believe that that is exactly what the Government will do.

17:31

Maggie Chapman (North East Scotland) (Green): I refer members to my entry in the register of members' interests.

The Scottish legal system takes great pride in its reputation—specifically in elements that mark it as being different, including the not proven verdict and the requirement for corroboration. Those are held up as iconic elements of an historic system, and are—according to some—worthy of protection. However, not everyone shares that view, and it is often those whom the system hears from least, but whom it should be designed to protect, who argue most ardently for reform.

That is exactly the case with the not proven verdict. That historical accident remains in our system as a legacy from when juries adjudicated specific facts rather than assessed guilt or innocence. Organisations that support the complainers—or victims and survivors of crime—as well as victims and survivors themselves have been telling us for years that the not proven verdict is deeply problematic.

The not proven verdict is reached disproportionately in rape and attempted rape cases. In 2019-2020, the overall incidence of not proven verdicts was 1 per cent. Among jury trials it was 5 per cent, but in rape or attempted rape trials it was 25 per cent. We know that it accounts for nearly double the amount of acquittals in rape and attempted rape cases compared with acquittals for all crimes and offences.

So, why does that matter? The not proven verdict has exactly the same impact as a not guilty verdict and can be as distressing—if not more so—for the complainer as a not guilty verdict. The not proven verdict has no legal consequences for the accused. It is reached disproportionately in serious sexual offence cases. Given the already woeful prosecution rates for such offences, that means that women tend to bear the brunt of such verdicts.

Clear evidence from independent jury research shows that jurors do not understand the not

proven verdict and do not really know what it means. It is not defined in law or practice, nor is the difference between it and a not guilty verdict defined. Indeed, the appeal court of the High Court of Justiciary has instructed judges not to attempt to describe the difference and has called it “highly dangerous” to do so. That means not only that it is not well understood but that, because of poor understanding, it is reached inconsistently. Also, when it is reached, there is a clear mismatch between the messages that are sent by the jury in reaching the verdict, and those that are received by the public. No one knows what it means.

In 2019-20, 43 per cent of solemn sexual offence cases led to convictions, compared with 77 per cent of solemn prosecutions as a whole. That says much about society's attitudes to victims and survivors of rape, and it is clearly bound up in patriarchal structures that victim blame and do not believe women.

However, whatever the reasons for it, the low conviction rate for rape indicates that there is unwillingness to convict. There is evidence to suggest that the not proven verdict is reached as a soft acquittal opinion. There are real worries that the existence of the verdict gives juries in rape trials “an easy out” and that it contributes to guilty people walking free.

The not proven verdict enables rape myths and the stigma that is attached to them to be propagated. Complainers in such cases say that it does nothing to encourage them or others who have suffered gender-based violence to have faith in the criminal justice system. None of that helps complainers, victims and survivors of sexual crimes, and none of it aids the work that we must do to ensure that our justice system is able to tackle the imbalances and inequalities of power in society.

I will close with the words of a survivor who has campaigned passionately for the abolition of the not proven verdict, who said:

“get rid of the not proven verdict as it's degrading, heartbreaking and they all laugh in our face because in my eyes they got away with their disgusting acts of abuse and as always told me 'no one will believe you if you tell'. That is exactly how it feels.”

17:35

Sharon Dowey (South Scotland) (Con): The not proven verdict, which is perhaps the most unique aspect of Scots criminal law, has split opinion through the centuries. It is easy to see how controversial the verdict is from its many names: the convenient verdict, the sophisticated but ungracious verdict, or the second-class acquittal. It is characterised as both ambiguous and indefensible. Sir Walter Scott, perhaps

Scotland's most famous lawyer, even referred to it as a "bastard verdict", and said:

"One who is not proved guilty is innocent in the eyes of the law."

That is a view that many share, and it is the reason why we are gathered here today. Just as elected representatives and judges in Scotland have gathered to debate the issue, not just in 2016 but in 1994, 1975 and even in 1728, when a Scottish jury declared its ancient right to pass a judgment of not guilty rather than use the term "not proven".

A "historical accident" is how some have described the verdict. Numerous legal academics support that theory. It has been noted that

"there were no set forms of verdict used by early juries"

and that a wide range of terms was used. Not proven was just one verdict among many, with those found guilty sometimes being found "fylet, culpable and convict", whereas those who were not guilty were "clene, innocent and acquit". Not proven is the product of a messy legal system: a wrinkle from a different time that has never quite been ironed out, and one that is now having severe repercussions in the 21st century.

We hear it from all corners of society: from the families of murder victims, victims of domestic abuse, and women's rights organisations. Rape Crisis Scotland, Scottish Women's Aid and the Scottish Women's Rights Centre have all campaigned to abolish the verdict.

"Not proven is not justice"

they say, and they are right. The role of not proven in cases of sexual violence is evidence enough for the verdict's removal. Conviction rates for rape are much lower than those for any other crime. The removal of the not proven verdict would strengthen the law in this area and introduce an element of black and white to such cases, rather than the unsatisfying ambiguity that a not proven decision leaves behind.

What is more, if the verdict was a satisfactory way to resolve cases, we would be seeing it used in courts around the world. Instead, we find that only 0.06 per cent of the world's population live in jurisdictions that use the verdict. That should say it all.

It is time for a little housekeeping in the Scottish legal system. We have heard many statistics, case studies and arguments made by my Scottish Conservative colleagues calling for the abolition of this ancient verdict. They are right, as history has shown time and again. Not proven has no place in our legal system today, just like a horse and cart has no place on a motorway.

Jackie Dunbar (Aberdeen Donside) (SNP): Will the member give way?

Sharon Dowey: I am on my last sentence.

I urge members to support the motion and abolish this out-of-date verdict for good.

17:39

Collette Stevenson (East Kilbride) (SNP): Everyone in the chamber agrees that we need a fair, transparent justice system that works for the victims of crime and, in particular, one that supports survivors of gender-based violence, rape and attempted rape, and domestic abuse.

On Monday, as the Tories know, the cabinet secretary confirmed the launch of a consultation on the three-verdict system and related reforms. It is right that people, including survivors, get to have their say, and I encourage as many people as possible to participate. I know that the Scottish Government will listen carefully to what survivors, the third sector, the police, legal experts and other stakeholders say on the matter and will take a reasoned position.

Reform of the justice system is a complex matter. There are many facets to ensuring better outcomes for survivors of crime. Abolition of the not proven verdict alone will not necessarily guarantee that, as the mock jury evidence showed and as the Law Society of Scotland highlighted.

Right now, to tackle crime, the focus must be on supporting all sectors of the criminal justice system to function well and recover from the effects of the pandemic. The Scottish Government will increase investment in justice by 7 per cent next year, which is welcome. The Scottish Courts and Tribunals Service budget will be increased and investment of £26.5 million, through the justice recovery fund, will help to tackle the backlog of cases. That is paramount, to enable many people, particularly survivors of sexual crime, to get justice.

The Scottish Government's work is wide ranging, rightly, and much of it focuses on prevention. Over the SNP's period in office, crime, including violent crime, has fallen; most people do not experience crime. The Scottish Government is continuing its work to reduce crime, build safe communities and put victims and witnesses at the heart of the justice system.

Achieving the key aim of continuing to cut crime and reoffending will mean that there are fewer victims. However, until the day comes when we have eradicated crime—particularly the crimes that we are considering today, such as domestic abuse and sexual crimes—it is incumbent on Government to ensure that the justice system is

fair and transparent and that it meets the needs of modern society.

Rape Crisis Scotland has published work that shows that most rape and attempted rape cases do not make it to court. Of the cases that made it to court in 2019-20, only 43 per cent ended in a conviction. Around a quarter of prosecuted cases resulted in a not proven verdict.

Along with colleagues on the Criminal Justice Committee, I have heard at first hand from survivors of gender-based violence about their views and experience of the justice system. It is essential that we listen to those people.

I welcome the Lord Justice Clerk's review of the management of sexual offence cases. Regardless of the result of the consultation on the three-verdict system, I think that a specialist, trauma-informed court for sexual offences could work well.

We all want a fair justice system that supports victims and witnesses. Let us encourage people to engage with the consultation on justice reform so that any reforms are carried out for a purpose and our justice system meets the needs of 21st century Scotland.

17:43

Rhoda Grant (Highlands and Islands) (Lab):

The debate has been interesting, but the issue has been debated for a long time and it is a bit disappointing that the Government is hiding behind further consultation rather than providing leadership on the matter.

We support the abolition of the not proven verdict, but we recognise that that in itself is not a resolution. Victims will still be let down if a not proven verdict simply becomes a not guilty verdict. We need a justice system that protects victims and brings perpetrators to justice.

We see an increase in sexual violence. Katy Clark and others talked about the fact that 70 per cent of the workload of the High Court is made up of sexual offences. Is that because we are not prosecuting those offences properly and offenders get off? Why is that type of offence on the increase? Is it because young people are getting their sex education from pornography? Is it because we live in a society where attitudes to sexual violence are strange and victim blaming is common? [*Interruption.*]

The Presiding Officer: I ask members to desist from conversations across the chamber.

Rhoda Grant: Katy Clark said that our justice system works for male perpetrators rather than female victims. As a society, we have to share the blame for that.

Martin Whitfield noted that 43 per cent of rape and attempted rape cases reach convictions, and he compared that with a figure of 88 per cent for other cases. That is a huge gap and it shows us what is wrong with our system. It is a wake-up call to all of us that the system is not working. He also spoke about the large number of cases that never reach court.

Katy Clark talked about the impact on victims of the backlog in our courts. Again, given that 70 per cent of High Court cases are to do with sexual violence, we can see that that backlog will have a disproportionate impact on women. It is difficult for those victims, because they are waiting for an outcome that is not forthcoming. Of course, when rape or attempted rape cases reach court, 44 per cent of them end up in a not proven verdict compared with 20 per cent of others. That is another wake-up call for us. Surely we can all see the difference.

Katy Clark also talked about Lady Dorrian's review and discussed training for juries. It is right to address that issue, because Martin Whitfield talked about how easy it is for juries to use the not proven verdict as an opt-out. Maggie Chapman talked about jury members' lack of understanding of the verdict and about prosecutors being discouraged from explaining it to them.

We all know that certain cases are difficult. Liam McArthur talked about how cross-examination in sexual violence cases retraumatizes and belittles victims. It actually trashes their characters and makes them out to be liars, because those cases come down to one person's word against another's.

We need to make a justice system that is safe for victims. If we do that, we will get greater reporting. The justice system should be there for victims and not just for the sake of the justice system itself.

We support the motion, but we also believe that we need to make a big change to the justice system so that trials are conducted properly. We need there to be a step change in how cases are prosecuted. It is wrong that trials retraumatise victims rather than promote closure. We all have a duty to put that right.

17:47

Keith Brown: As I said in my opening speech, the Scottish legal system has evolved substantially over the centuries and it is vital that we ensure that it develops and responds to new evidence and is in line with the values of the people of Scotland—a point that was made by other members.

Liam McArthur's contribution was measured and informative, and I support what he said. For his benefit, I say that, in relation to the issue of anonymity, we intend to proceed on that as we set out in our manifesto. The issue is complicated, of course, by the need to ensure that the system can cope with the online age, but we intend to address that issue.

In the 21st century, our justice system has to be person centred, transparent and fair to all, satisfying public confidence by reflecting the needs and views of those who directly participate in it and whose lives are impacted by it. It is for that reason that we think that the consultation is the right way to go. I am surprised by what I have heard from Labour members, because I did not realise that the Labour Party's position was to say that the consultation was an exercise that we could hide behind. I think that it is a genuine attempt to engage with those who are most directly affected by the issue.

I certainly disagree with the Tory position. Jamie Greene said that, should the proposal be agreed to, it would represent one of the biggest changes in Scots law that could take place. I agree with that. The verdict is not a wrinkle to be ironed out and neither is dealing with it merely a piece of housekeeping. If we agree to the proposal, it would represent a serious piece of reform to the justice system.

Liam McArthur: I appreciate what the cabinet secretary said earlier. I believe that the consultation is the right approach to take, but I think that a commitment from the Government to introduce legislative changes in the course of this parliamentary session would offer the reassurance that members are seeking that the issue will not drift into a future parliamentary session.

Keith Brown: I said to the Criminal Justice Committee this morning—I appreciate that Mr McArthur did not hear it—that Lady Dorrian's numerous recommendations also require legislative change. Once we have been through the current consultation and we get a view on the interrelated matters, such as jury size, it will be possible to move forward with a suite of measures that will address some of the points that have been made. However, to go back to the previous point, we have a commitment to address anonymity on its own merits.

Douglas Ross (Highlands and Islands) (Con): Will the cabinet secretary take an intervention?

Keith Brown: I cannot. I am the only person who has taken interventions in the debate and I do not have much time left, so I apologise.

The matters are not straightforward but complex, so it is surely right that we engage properly on them before we take decisive action.

How could we ensure that the reforms are effective and free from unintended consequences without having a full consultation process?

I listened with some disbelief to the Conservatives, who proclaim themselves to be the party of law and order, suggesting that we should disregard the views of the legal profession on a complex legal matter.

In September 2021, in a written submission to the Criminal Justice Committee, the Faculty of Advocates set out its opposition to the removal of the not proven verdict, which it views as a necessary safeguard in a system with a simple majority. The faculty argued that, if the not proven verdict was to be removed, that should not be done in isolation and that discussion and consultation would be necessary

“to identify the changes in our criminal justice system that would be required in order to accommodate such a significant change”—

not a tidying-up or a wrinkle—

“without jeopardising reliable justice”.

I have been clear that I have serious concerns about the not proven verdict. Just because the consultation is rightly holistic, that is not to say that one aspect cannot be reformed without corresponding changes to the others. However, it should not be reformed without considering what other changes might have to take place. Surely, regardless of what reform—if any—is ultimately undertaken, the opinions of the legal profession and the people who are most directly impacted by the verdict should be listened to. The right place to do that listening is in a full consultation, which is exactly what we are doing.

Of course, the views of the legal sector are not the only ones that we should listen to. We will continue to take the open and consultative approach that we have used to date, seeking to capture the views of a broad range of stakeholders, including the third sector and people with lived experience of the justice system, which includes those whom the Criminal Justice Committee has listened to, some of whom I have listened to and spoken with myself. They include survivors and victims of crime. Some of the discussions that have most shaped my thinking have been with survivors and I am eager to hear their views on the consultation.

As I noted in my opening speech, we must be mindful that the not proven verdict affects all cases, not just sexual offences. Therefore, any reform must take a holistic approach that considers potential impacts across the piece.

Many of us value the distinctive features of the existing Scottish criminal justice system. That is not, in itself, a bad thing, but I take Maggie

Chapman's point that those features cannot be venerated for their own sake and that we should ensure that the system reflects our current values. The value that we place on those distinctive features should not prevent us from asking questions or seeking new perspectives, particularly from people with direct experience of the criminal justice system, to drive further improvements and ensure that the system remains relevant.

The incredible efforts of justice partners, third sector organisations, the judiciary and the defence community during the Covid pandemic have made it clear that there is still tremendous potential for the justice system to benefit from collaboration, innovation and new ways of working. I trust that many of those stakeholders will contribute their thoughtful and considered opinions to the consultation and I look forward to considering the full range of views that we receive. I want to listen to what consultees tell us before we weigh all the evidence and reach a conclusion.

17:53

Russell Findlay (West Scotland) (Con): In 1846, the British Parliament voted to repeal the corn laws, the liberty bell cracked while being rung for George Washington's birthday and the planet Neptune was discovered. It was also the year in which the debate about Scotland's not proven verdict began in earnest. Lord Cockburn, a former Solicitor General, wrote that not proven was incompatible with the presumption of innocence and stigmatised an accused. He added:

"It tempts jurymen not to look steadily at the evidence, and to give it its correct result; but to speculate about the possibility of soothing their consciences, or their feelings, by neither convicting nor acquitting, but steering between the two."

Although his lordship's language might sound dated, the essential arguments against not proven have barely changed in the 175 years since.

I am firmly of the view that the not proven verdict—which, as Sharon Dowey pointed out, is known by some as the "bastard verdict"—is long past its sell-by date. It not only serves no legitimate purpose, but actually corrodes public faith in justice. It is commendable that my party, and my colleague Jamie Greene, are leading the debate and seeking to abolish the not proven verdict as part of a broader range of measures in our proposed victims law. Entrusting jurors with the clearly understood two-verdict choice between a guilty verdict and a not guilty verdict would bring Scotland into line with virtually every other comparable criminal justice system around the world.

A trio of professors—James Chalmers and Fiona Leverick of the University of Glasgow, and

Vanessa Munro of the University of Warwick—have produced significant research on the subject. In a submission to the Parliament's Criminal Justice Committee, which I recommend that all members read, they explained that

"the not proven verdict ... is a historical accident and not a matter of conscious design."

They said that—as Jamie Greene mentioned—the "stigma that attaches to the verdict ... operates by a nudge and a wink, carrying a meaning which no-one is willing to articulate and which, if they were prepared to articulate, would be seen as unjust and improper."

They also pointed to evidence of jurors using the not proven verdict

"as a compromise ... to bring deliberations to an end, rather than engaging in more rigorous discussions."

We are forbidden from knowing what goes on behind a jury room's door, but the perception of not proven being a convenient cop-out has often been suspected.

Yesterday, I spoke with Marie Kearney, whose 24-year-old son Craig was killed in East Kilbride in 2017. Craig's family, who were already suffering unimaginable grief, were further devastated when the accused walked free, with the murder charge not proven. The Kearney family will never know, but they worry—as Lord Cockburn expressed—about how the verdict was arrived at.

One of the benefits of closing the debate on my colleague Jamie Greene's motion is having heard contributions from members on all sides of the chamber. Maggie Chapman, Katy Clark, Meghan Gallacher and the late substitute Martin Whitfield spoke about how the verdict is used disproportionately in sexual crimes, in particular the crime of rape, for which the conviction rate remains shockingly low.

I commend the work of Rape Crisis Scotland and its end not proven campaign. Crime victims have long campaigned for the not proven verdict to be scrapped. The verdict has caused, and will continue to cause, immeasurable harm.

Nine years ago, in 2012, an SNP justice secretary launched a consultation on scrapping the not proven verdict. A year later, in 2013, he kicked it further into the long grass with a two-year review. That concluded with a second SNP justice secretary opting to keep the verdict, while saying that yet more research was needed.

Keith Brown: Would the member like to comment on the decades of Tory rule when nothing was done about the matter? Can he clarify that the Tory position is—as I understand it—not just to scrap the not proven verdict, but to scrap the consultation and move immediately to legislation without listening to the people who are

most involved in the issue or to victims and other organisations?

Russell Findlay: I do not know what purpose any whataboutery will serve, but in respect of the timeline, I was trying to explain what the cabinet secretary's predecessors had been doing.

In 2019, a study revealed that the not proven verdict may push jurors towards acquittal before they have even discussed the evidence. A third SNP justice secretary said it was time to consider not proven—subject, of course, to yet further consultation. During this year's election campaign, that justice secretary then pledged to "consult" on abolishing not proven.

I am sure that the families of rape victims and murder victims felt as deflated and cynical as I felt on Monday, when a fourth SNP justice secretary, Keith Brown, revealed that he is to launch yet another talking shop about the not proven verdict. We have been talking about it for 175 years and Mr Brown's Government has been talking about it for 10 years.

Jamie Greene: His party has been in Government for 14 years.

Russell Findlay: We know the arguments and we know what is right. The time for dithering and talking is over. I disagree with Mr McArthur's view that we are jumping the gun, and I also disagree with Mr MacGregor's assertion of politicking.

I think that it is appropriate to save the last word for Marie Kearney, who said:

"No one wants to know. There's no justice. We are worried that the government is going to just keep dragging it on and nothing's going to get done about it."

The Presiding Officer: That concludes the debate on ending the not proven verdict.

Motion Without Notice

18:00

The Presiding Officer (Alison Johnstone): Before we move on to the next item of business, I will provide members with a further update in relation to the issues that were experienced earlier today, which impacted on BlueJeans. A worldwide outage of Amazon Web Services resulted in the loss of the BlueJeans service. Unfortunately—and members will appreciate that those circumstances were beyond our control—we were not able to confirm that stable access could be restored in order to allow those members who would have spoken remotely today to take part in this afternoon's debates and other items. I apologise to those members who were unable to participate. They were Willie Rennie, Gillian Martin, Pauline McNeill, Rona Mackay and Claire Baker. I understand that, for the same reason, Ariane Burgess and Carol Mochan will be unable to take part in members' business this evening.

Business managers have agreed that decisions that were due to be taken today will be deferred to a future point, and I will shortly invite the Minister for Parliamentary Business to move a motion without notice, to seek the Parliament's agreement to that. I will discuss with business managers when we will take any deferred decisions. Members will be updated ahead of business tomorrow, to confirm whether online services have been restored to allow for normal remote participation.

I invite the Minister for Parliamentary Business to move a motion without notice, under rule 11.2.5, that the decisions due to be taken today be deferred to a future meeting.

Motion moved,

That, under Rule 11.2.5, the decisions due to be taken today be deferred to a future meeting.—[George Adam]

Motion agreed to.

Protecting Rural Bus Services

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-02426, in the name of Mark Ruskell, on protecting rural bus services. The debate will be concluded without any question being put. I invite members who wish to participate to press their request-to-speak buttons now or as soon as possible.

Motion debated,

That the Parliament recognises the importance of local bus services, which are often a lifeline that enables communities to access essential services; acknowledges that rural communities are especially vulnerable to the loss of routes, such as the X53 service that connects Clackmannanshire villages to Kinross and Stirling; recognises the impact of the COVID-19 pandemic on patronage levels, and the impact of driver shortages on service provision but also notes that the rollout of the Concessionary Bus Travel Scheme for under-22s in January 2022 is likely to increase bus patronage, and further notes calls on bus operators to meet the needs of all communities they serve by withdrawing planned service cuts.

18:04

Mark Ruskell (Mid Scotland and Fife) (Green): I thank members from across the chamber who have signed my motion to secure the debate, and I look forward to everyone's contributions and the minister's response. I know that two members will probably make their contributions in other ways, and it is a timely reminder that accessibility in our society is about much more than transport.

Let me start with the good news: we are on the verge of a bus revival across Scotland, with free travel for under-22s set to become a reality in the new year. That will open up transformative opportunities for young people and their families, and it will also significantly increase the number of people getting on buses, improving the viability of those services. It represents an unprecedented level of investment in the bus sector at a financially challenging time for the Scottish Government.

However, free bus travel can work only where bus services actually exist. If services across Scotland are being withdrawn or reduced in frequency or are facing repeated cancellations, ticket cost is a secondary concern. Every person in Scotland deserves affordable, reliable and accessible public transport services, regardless of where they live, but it is often rural communities that find themselves entirely reliant on bus services for public transport. In my Mid Scotland and Fife region, unacceptable cuts are coming just weeks before the extension of free travel, including the complete cancellation of the X53

bus, which connects Clackmannanshire with Stirling and Kinross, as well as a reduction in frequency on key routes around Stirling.

It is not just about rural routes. Stagecoach has warned of changes to its intercity service between Perth and Edinburgh at a time when ScotRail is also consulting on a timetable change that will unacceptably extend journey times between the two cities. We are seeing the same pattern across the rest of Scotland, with the suspension of services in central Scotland, same-day service cancellations in Glasgow, college buses cut in Kirkcudbright, and services cut in Aberdeenshire earlier this year.

I am sure that members will have their own stories to share. First, though, I want to share with the chamber the voices of my constituents who have been in touch to explain exactly why services like the X53 are so important and why protecting rural bus services truly matters. I have been contacted by a former bus driver who is now registered blind and therefore cannot drive buses or a car any more. He relies on the bus as his main form of transport to access medical appointments and to get to the local shops. He is hoping to retrain in a new industry based at Stirling University, to which he would have travelled on the X53, but, without that service, he will be forced to travel by private taxi, which is far more expensive and polluting.

I have also been contacted by a single parent with two young children who relies on the X53 for her children to see their grandparents, for childcare and to get to work. In other words, three generations of the same family depend on this service to support one another. The family do not have a private car, nor can they afford to pay for taxis, and they had been looking forward to the children making use of next year's expansion of free bus travel.

I have also been contacted by a constituent living in Powmill, a village that is already cut off from public transport. They already walk a couple of miles to Rumbling Bridge to catch the X53 and, without the service, they will have to walk more than four miles from Powmill to Dollar to catch alternative transport to the hospital. That is simply unacceptable.

My final example is a family living in Dollar. Their household has one car that a family member uses to get to work in Glasgow, and the X53 provides an essential service for the rest of the household when the car is not available. Without it, the family's only public transport route to Stirling would involve at least two buses, and, because both services run only every two hours, trying to get a connecting bus is incredibly difficult. As the family told me,

“You would be out all day and it just wouldn’t work.”

The impact of losing the X53 is severe. We are talking about vulnerable people being further isolated from essential services, young people losing their independence and people being forced to use private cars at a time when we need to be reducing car kilometres.

I have spoken to bus operators who have said that service cancellations, withdrawals and reductions are due to the on-going impact of Covid-19 on bus patronage, as well a serious shortage of bus drivers. Certainly, at the height of the stay-at-home measures, concessionary bus journeys were down by 90 per cent. However, by this time last year, patronage was improving, and data from September show that it is recovering further and is now down only by about a third compared to the pre-pandemic baseline.

Omicron poses a further challenge. Over the past week, more public transport staff have been off sick. That has led to short-term cancellations that have left many of my constituents stranded, especially the long-suffering users of the X10 to Balforn. However, the evidence shows that, as restrictions lift, patronage starts to return, so now cannot be the time to slash bus services.

The bus industry is also facing a serious challenge in driver recruitment, with a 14 per cent vacancy rate across the sector in Scotland. That is up by 200 per cent on 2019 figures, and it represents around 1,000 bus driver vacancies.

A perfect storm of Brexit, the end of free movement, drivers retraining as heavy goods vehicle operators, and delays in driver training applications at the Driver and Vehicle Licensing Agency are leading to a United Kingdom-wide shortage of drivers who can operate large vehicles.

I know that bus operators and the Government are working hard to address those shortages. FirstBus has told me that it is launching a recruitment campaign and is working with the Scottish Refugee Council to encourage new Scots to train as bus drivers. The expansion of concessionary travel will, no doubt, provide an opportunity to encourage more young people to join the workforce at this critical and exciting time. However, in the here and now, the choices that bus operators face are stark.

We have been told by FirstBus that, because of driver shortages, priority will now be given to the most-used services with the highest passenger numbers. That will disproportionately impact rural services and cement transport poverty in already poorly served communities.

There is no excuse for leaving rural communities behind. Protecting rural bus services

is about addressing the climate emergency, addressing inequalities and building a green recovery from Covid. For too long, rural bus services have been particularly vulnerable to the boom-and-bust cycle of private operators. It is time to break the cycle.

I hope that the Minister for Transport agrees that we need to redouble our efforts to protect lifeline rural routes and take urgent action to resolve workforce issues. I also hope that he will be able to outline what the Scottish Government can do to help to build a resilient bus network in Scotland that leaves no one behind.

The Deputy Presiding Officer: I gently remind anybody who wants to participate in the debate to press their request-to-speak button now.

18:12

Jackie Dunbar (Aberdeen Donside) (SNP): Thank you for the little reminder earlier, Presiding Officer.

I congratulate Mark Ruskell on, and thank him for, securing this members’ business debate.

Access to adequate bus services in rural areas is vital to ensure that communities are not isolated and have access to the goods and services that they need. As someone who grew up in the country—fae Peterheid tae Nairn and aawaye in atween—I understand the importance of regular, reliable and affordable local bus services.

A lot of folk in rural areas dinna drive and have to rely on public transport to get their messages, to get to their work, to attend medical appointments, and to meet up with their friends and family. Without vital bus services, those folks would be completely isolated.

My Aberdeen Donside constituency stretches to the north edge of the city. A number of folk commute from rural locations, and they travel through my constituency. That means that many urban residents benefit from rural buses passing through. We can therefore see that country buses, as we call them in the north-east, are beneficial not just to country fowk but to the city fowk and aa.

Transport providers between our rural and urban locations should work together to ensure consistent and affordable routes and to create a cohesive bus network that works for all their passengers. Without a reliable bus service, rural residents become reliant on single-driver cars to provide access to services. As Scotland moves towards net zero, we should be promoting the use of public transport and ensuring that it is not only fit for purpose but affordable, so that we can reduce the use of cars. Our aim is to reduce car journeys, but that can be done only by providing

affordable and reliable alternatives. Public transport should be that alternative.

Although my Aberdeen Donside constituency is not strictly rural, we have a mix of urban areas and suburban communities that are not that well connected to the city, such as Kingswells. We have been fighting for a number of years against the removal of the Kingswells bus services, especially those at weekends. We have seen not only that service reduced in recent years, but the start of isolation from the city for an entire community. If it had not been for vital investment in bus companies by Transport Scotland during the Covid-19 pandemic to ensure that a level of bus service remained, despite reduced passenger numbers and social distancing measures, we could have seen entire communities completely cut off without any travel options.

I am pleased to see the investment by the Scottish Government in free bus travel for under-22s from January 2022. That will make bus travel accessible for all, reducing the barriers created by the cost of fares, and it should increase bus patronage. The investment has the potential to make a huge impact on how our young folk travel. Taking the bus, taking their driving test or moving into the toon—as I did when I was 16—is the choice that they have. It is important to promote sustainable bus travel to younger people to change behaviour as we move towards more environmentally friendly modes of transport.

Let us make getting the bus easier and affordable for all.

18:16

Alexander Stewart (Mid Scotland and Fife)
(Con): The importance of local bus services, which can be a lifeline for rural communities, cannot be overestimated. Mark Ruskell's motion acknowledges that rural communities are especially vulnerable to the loss of routes.

The X53, which covers the wee county of Clackmannanshire, Stirling and Kinross, was the catalyst for this debate. At its most recent full council meeting, Stirling Council proposed an action plan to protect bus services, and I suggest that Clackmannanshire Council do something similar.

The debilitating effect of the Covid-19 pandemic, including the impact of previous lockdowns and controls on numbers of customers, has led to less use of buses and other businesses. We have already heard about initiatives to ensure that people get free bus travel, but a bus is required before that can be taken up. If the X53 service goes, individuals will be left with no bus to use.

We are dealing with management decisions. It is management who decide which routes are lesser used or more susceptible to change. It is essential that bus operators work to meet the requirements of all the communities in which they operate. This is the second time that we have had difficulties with the X53 bus route, which is mentioned in the motion. There was talk of its removal 18 months ago. It was reinstated then, but it looks as though the route will be removed this time.

Many individuals have told me about serious difficulties, especially for those who are disabled, elderly or young. One resident told me about the effect of changes to bus services for someone who, like her, is disabled and single. She currently uses the X53 to get to Stirling, so she might no longer be able to get to her employment. Although she used a car in the past, she can no longer do so following cancer surgery. The bus service is her lifeline to employment. The anxiety of ensuring that she can keep her employment without the support of a bus service is also very difficult. Another resident who does not drive moved to Muckhart specifically because they knew they could catch the bus that goes from Alloa to Stirling. If that service is removed, there will be no link between Kinross and Stirling.

Many people have described First Bus's planned removal of that route as callous. It will cause difficulties not only in the local area but across the central belt. If the X53 is removed from 10 January, some pupils may not be able to get to school. That will have a major impact. There will also be no service from Muckhart to Dollar, Stirling and Kinross. New housing development is taking place in Muckhart and there are other developments across the region. Such housing normally attracts young families who are interested in living in the community, but that may wane if people cannot get to work or school.

In a debate that I called for, we talked about Strathclyde Partnership for Transport and decided that a task force should be set up to look at vital services. In a debate in the previous session, I was fully supportive when we talked about dealing with cuts to bus services. Back then, I asserted the vital importance of ensuring greater urgency on the issue.

We have already heard that the pandemic has had a devastating effect on many routes in the region, so it is particularly important that we focus on the task force that was set up and its urgent recommendations. I hope that the minister will touch on that point, because, last year, the Scottish Parliament backed plans for local authorities to run their own services. At that time, I certainly believed that we needed greater protection for under-threat services in order to help local people.

My colleague Liz Smith has done a huge amount of work in supporting buses across Mid Scotland and Fife. At the 26th United Nations climate change conference of the parties—COP26—there was an emphasis on the issue.

It is vital that FirstBus reconsiders its decision on the X53. I encourage Stirling and Clackmannanshire councils to use the powers that they have to protect the service for the future.

18:21

Colin Smyth (South Scotland) (Lab): I thank Mark Ruskell for his motion and the opportunity to discuss the importance of our bus services. There is no doubt that Scotland's diminishing bus network is in crisis, and our rural communities are paying a heavy price.

The crisis did not start because of the pandemic, and the failures of privatisation were not caused by Covid. In Scotland, passenger numbers have been plummeting since deregulation—they went down 43 per cent between 1987 and 2020—yet fares have risen by 159 per cent since the index started, in 1995. That dismantling of our bus network, route by route, has accelerated under this Government, with the number of passenger journeys falling by a quarter since 2007.

I know that there has been a decline across Britain, but, while the fall was 5.6 per cent in England, it was nearly three times higher, at 15.3 per cent, in Scotland between 2010 and 2018. There are many reasons for that decline, which include not only changing work patterns and growing congestion but the decisions that have been made by the Government, not least on cuts to council budgets.

The recent Green-SNP budget, which includes a real-terms cut of around £300 million for councils, will mean a real cut in more bus services in rural areas, the overwhelming majority of which rely on subsidies from the local council. That support is under threat more than ever before. That is no way to run an essential public service on which so many rely.

Buses still account for 366 million journeys a year in Scotland. They boost growth, they alleviate poverty and they connect communities. However, instead of providing an attractive alternative at a time when transport is the single biggest emitter of greenhouse gas emissions, our deregulated bus system has been turning people away from public transport and towards cars. We see that in all our communities.

I will give just one example, although there are many across my region. The X95 bus run by Borders Buses connects rural communities

between Edinburgh and Carlisle, in Midlothian, the Borders and Dumfries and Galloway. During the pandemic, its frequency was cut from hourly to every two hours, but, as we moved out of lockdown, it was not reinstated to hourly. The lack of frequency simply means that the bus is no longer an option for those who want to use it to commute to their work.

I know that there are challenges with the backlog in processing driving licences at the DVLA, and there is a lack of tests to ensure that, when bus companies decide to increase services, they have the drivers to do so. I have written to the UK Secretary of State for Transport on the issue. However, there has also been a failure of the Scottish Government to secure proper guarantees from bus firms in return for the more than £330 million of taxpayer support that was given to the sector during the pandemic. We need better conditionality to maintain services in return for that support.

We also need more fundamental change. Regulation in London and municipally owned operators such as Lothian Buses shows that the current broken system does not have to be this way. It is three years since I lodged amendments to the Transport (Scotland) Bill to lift the ban on council-run bus services, putting into practice Unite the union's *haud the bus* campaign and the Co-operative Party's *people's bus* campaign, which call for a bus network that puts passengers, not profits, first. Yet, this Government has still not passed on to councils the powers that I secured, never mind given them the resources that they need to set up their own publicly and community-owned bus services. Astonishingly, the Green-SNP coalition continues to stack the cards against public ownership, with a £500 million bus partnership fund that can be spent only on deals with private bus companies, instead of using some of that funding to set up publicly run bus companies.

Scotland's bus passengers deserve better, as do Scotland's bus drivers. Deregulation has resulted in a race to the bottom in staff wages, yet it was our drivers and support staff who kept Scotland moving during the pandemic. They often put their own health on the line, including bus driver Willie Wallace, from Kilmarnock, who sadly died of Covid in October 2020. That should bring home to us the amazing work that our key workers do, for which we all owe them a huge debt of gratitude.

We owe our passengers a better bus network—one that meets their needs and understands that public transport is a public service that, like all public services, should be run for the benefit of the public and not for profit.

18:25

Maggie Chapman (North East Scotland) (Green): I thank my colleague Mark Ruskell for securing this important and timely debate. I am speaking this evening on behalf of Ariane Burgess, who, like other members, has been the victim of tech failures this evening.

I thank bus drivers who have worked throughout the pandemic, getting other key workers to their jobs and continuing to provide a low-carbon form of transport on which many of us depend.

Bus services are under threat throughout Scotland. Almost 700 routes were cancelled in the past couple of years. In Ariane's community in Forres, people have been fighting hard to save the number 31 route, but it has still been progressively reduced, leaving certain neighbourhoods without a local connection to the public transport system. In the Banff and Buchan area of the region that I represent, which has no rail service, 15 bus services have had their financial support cut or withdrawn, which is affecting most severely the people who were already struggling.

Covid and Brexit have exacerbated such service reductions and cancellations. Just last Friday, in Inverness, Stagecoach withdrew a host of services for the second time in two months due to staff needing to self-isolate. Stagecoach had already lost many drivers to the HGV sector, which is now offering better pay in order to address its own Brexit-induced driver shortage.

Brexit and Covid are not the only forces behind service cuts. A report by the United Nations special rapporteur Philip Alston that was published in July found that privatisation and decades of deregulation have resulted in services that are "expensive, unreliable, and dysfunctional". Bus fares have soared while passenger numbers have slumped. In Scotland, ridership has declined by 43 per cent since deregulation, in 1986. Fewer passengers means less revenue for operators, making services unviable and leading to reductions or cuts, which, in turn, push people to choose other forms of transport, continuing the circle of decline.

The problem is most acute in rural areas, where cancellations are more likely to lead to isolation. Not everyone has a car, so buses should enable everyone to get to work or the job centre, access healthcare and education, and connect with family and friends. To take that option away is unjust. Transport Scotland has recognised the key role that bus services play in helping people to realise their human rights.

Buses will also play an increasingly important role in Scotland's journey to net zero. However, the current system is not working for passengers, taxpayers or the climate. Commercial bus

networks are subsidised to the tune of hundreds of millions of pounds each year, yet private operators pay out generous shareholder dividends instead of reinvesting in services and driver pay.

Instead, we should support local authorities to establish locally owned bus companies. Transport for Edinburgh and Transport for London are two examples that show that municipally owned companies or regulated franchises can provide less expensive and more reliable services. We look forward to working with our co-operation agreement partners in the Government to introduce a community bus fund to help local authorities to make use of options that are set out in the Transport (Scotland) Act 2019.

To make bus travel more attractive to more people, we must make buses accessible. That is particularly pressing in rural areas, where the average time to walk or wheel to access key services is 22 minutes, as opposed to 12 minutes in urban areas. We must make buses well ventilated and Covid safe to address public concerns and enable more people to get back on their local buses. We must make it easier to take bikes and buggies on buses by requiring all new buses to carry both. We must support demand-responsive and community transport to address particular local needs to combat isolation and enable easy access of other services and facilities. We must ensure that the Government meets its commitment to make the majority of buses fossil fuel free by 2023.

We can transform our bus sector so that it delivers cost-effective services, meets the needs of communities and aligns with our climate goals. Let us get moving.

18:30

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): I congratulate Mark Ruskell on securing the debate. Public transport, particularly green public transport, is a subject close to his heart. I am sure that he would have enjoyed the event that I was pleased to attend in Perth on Monday—as was the minister, Mr Dey. Supported by the Scottish Government, Stagecoach has worked in partnership with the Falkirk-based bus manufacturer Alexander Dennis Ltd and SSE, which is providing charging facilities for all-electric, zero-emission buses, the first of which Stagecoach was revealing.

Stagecoach is introducing those buses to two routes within Perth city from early in the new year. Starting with nine vehicles, it hopes to almost double the fleet to 16 by the end of next year. There is a real ambition for Perth to become the first city in the UK—[*Interruption.*]—I apologise; I am choking on that sentence—entirely served by

zero-emission bus services. That will be a fantastic local contribution towards net zero objectives, and I hope that it will not be confined to the boundaries of the fair city as we progress.

In the interests of fairness, I stress that FirstBus is involved in an electric transport system. As a communication that I received on its behalf yesterday pointed out, its Glasgow depot is the largest electric vehicle charging hub in the UK. However, despite that positive news about bus services for the future, we are talking about an unfortunate threat to an existing bus service for many of our constituents.

I thank Jackie Dunbar for handing me water. Excuse me while I drink it.

The X53 service that is named in the motion visits three different constituencies in the Mid Scotland and Fife region, which Mr Ruskell represents. It connects Kinross, in my constituency, with Stirling via a number of communities in Keith Brown's Clackmannanshire and Dunblane constituency. I am sure that, if Keith Brown were not a cabinet secretary, he would also speak in the debate. I know that he has been in correspondence with FirstBus and Muckhart community council on the issue.

Mr Ruskell has already outlined the history of the bus service, but it bears repeating. It is a relatively new service, which FirstBus introduced just over a year ago to replace the one that Stagecoach ended during lockdown. Although that replacement service was welcome, it already represented a reduction in service for my constituents, as the 23 service that it replaced used to run between Stirling and St Andrews. The service is now to be suspended from 10 January, with a lamentable lack of consultation with the affected communities beforehand.

I know that bus services change frequently and that other members will doubtless have, over the years, seen many changes that their constituents opposed, so they might ask why this service is different and why its suspension deserves such a chunk of parliamentary time being spent on it. The answer is that it is not just a commercial decision by FirstBus—it readily admits that. Rather, the problem is systemic. It is a consequence of the perfect storm of Covid and Brexit, which has resulted in an industry-wide shortage of drivers.

Nevertheless, I urge FirstBus to change its mind on the service. Kinross and Kinross-shire have a growing population and do not deserve to be cut off repeatedly from neighbouring towns as they have been.

Finlay Carson (Galloway and West Dumfries) (Con): Is there not an argument that, instead of taxpayers providing free bus travel for people in urban areas—that is where most of the funding will

go to provide free transport for under-21s—the money would be better spent on supporting services such as the one that Jim Fairlie is talking about and on enhancing rural bus services so that people who are under 21 could have access to a bus, not necessarily just free access? Instead of subsidising people in urban areas who have plenty of access to buses, the money would be better spent on protecting services in rural areas.

The Deputy Presiding Officer: Mr Fairlie, I can give you the time back for Mr Carson's speech.

Jim Fairlie: I would say to Mr Carson that I absolutely support the under-21s scheme because it is a part of the system that will get young users on to buses. We are going to try to change the culture of bus use in the first place.

If we remember who loses out when a bus service is removed, it is inevitably the less well-off members of our communities—the elderly and the young. Those are the people who depend on buses to take them to work or education, to shops or hospital appointments, to visit friends or just to have a day out.

We are supposed to be getting more people, not fewer, to use the buses. As the motion says, next month we will see the very welcome introduction of free bus travel for young people under 26. They will get the benefit of that only if there are buses to take them. I take the point that Mr Carson makes, but I still prefer getting people on to buses in the first place.

I hope that, when the minister sums up, we will hear something to give us hope that the Government will work with operators to find an answer to the challenges that they are facing because of driver shortages. In saying that, I completely acknowledge that the main changes that operators know will help them are ones that can be taken only by the UK Government. I know that FirstBus has been working with the Scottish Refugee Council on recruitment, as Mark Ruskell alluded, and it has called on the UK Government to change the rules around visa requirements for bus drivers by classifying them as essential workers. That would be a small and easy change that would have a positive impact on our public transport system and would address the urgent need to encourage more of the public to use the public transport system more often.

18:36

Liz Smith (Mid Scotland and Fife) (Con): I add my thanks to Mark Ruskell for bringing this important issue to the chamber. I also welcome the acknowledgment from the minister at last week's portfolio questions on transport that there is a problem here. I heard him comment about driver shortages, and they undoubtedly exist, but

that is not the whole story and I think that the minister is well aware of that.

As we try desperately hard to make it easier for people to go green when they make their transport choices, I worry that the situation with the X53 bus is yet another barrier in the way. Jackie Dunbar and Jim Fairlie made interesting points about trying to change people's behaviour, and it is true that we must. If we are going to go green, it is important that we do not have too many barriers in the way of that.

However, the context is also important. This debate comes at a time when Stagecoach has reduced the Edinburgh to Perth X56 bus service by around half. Yesterday we learned that Stagecoach is announcing a merger with National Express and the loss of its Perth headquarters. There are worries about the sustainability of some of the Stagecoach services.

It also comes at a time when ScotRail plans to lengthen the rail journey time between Edinburgh and Perth by 10 minutes because of the new diversion via Dunfermline. That journey time is already pretty lengthy when compared with other UK and European journeys of the same distance—and, indeed, when compared with the rail journey time between Edinburgh and Perth over a century ago. As we know, there have also been issues around services at Kirkcaldy, Inverkeithing and Dunblane stations. The context is not great for passengers in Mid Scotland and Fife just now, especially for those who are based in our very rural locations.

The cross-country X53 bus service is a lifeline for many rural passengers, who will feel badly cut off by the loss of the bus service—that is certainly the message coming from Mid Scotland and Fife constituents. Mark Ruskell cited many examples of that, and he is quite right about people who have essential business to do but cannot get where they need to be quite so easily. Alexander Stewart made an interesting point about Stirling Council, which is obviously also worried about the situation, and I think that we need to pay a lot of attention to it.

I do not think that this decision sits well with modern transport policy, as we are supposed to be doing all that we can to encourage more people out of their cars and on to public transport. Neither does it sit well with the demographic changes that are happening across Mid Scotland and Fife, which in some key areas is seeing substantial growth, particularly along the M90 corridor. There has been extensive house building in Milnathort and Kinross.

I recently saw a statistic that suggested that Dunfermline is expected to grow by 30 per cent between 2016 and 2026. That is an awful lot of

extra people who will be working in Edinburgh, Stirling, Glasgow, Perth and so on, and I hope that many of them will want to make use of public transport.

I thank Mark Ruskell again for highlighting this issue. Like many members, I have received a lot of communications on it, and I hope that the Scottish Government will address it. I know that there are extenuating circumstances with regard to some of the causes of the situation, but this is a very real issue that we need to do something about.

18:40

The Minister for Transport (Graeme Dey): I thank Mark Ruskell for lodging the motion, and I thank members across the chamber who have made contributions highlighting the vital role that bus services play for people across Scotland.

The impact of Covid-19 on public transport has been unprecedented. Demand for public transport plummeted in the first national lockdown and fell steeply again when Covid restrictions were reintroduced last winter. Today, patronage is still significantly lower—by about 35 per cent—than it was before Covid, although there are significant variations across the country.

Our transport priority has been—and is still—to keep public transport running for those who need it and to maintain service levels close to pre-Covid levels while patronage recovers from the effects of the pandemic. To maintain a viable and safe bus network, we have committed up to £210 million in additional financial support for bus services since June 2020. We have also maintained concessionary reimbursement and bus service operator grant payments at pre-Covid levels, when we would normally spend over £260 million each year.

That is in addition to the money that local authorities receive through the general revenue grant to secure additional bus services that are socially necessary but that are not commercially viable in their own right. In 2019-20, £57 million was spent on supporting such local services.

Mark Ruskell: The minister has described the enormous sum of money that has been invested in the bus industry in recent years, but is there not a case for some conditionality with regard to services to ensure that there is no weighting in favour of cutting rural services, which seems to be inherent in a lot of the choices that these companies are making? Indeed, what lies at the heart of this debate is that kind of weighting, which is being felt disproportionately by rural communities simply because they do not have the numbers that stack up on a spreadsheet.

Graeme Dey: I will deal with conditionality in a moment, but the member has made a good point. Indeed, I have made that same point to bus providers, about what seems to be a disproportionate impact. They would argue that, in the space that they are in, with the shortage of drivers, their focus is on getting the maximum number of people to where they need to go. However, as the representative of a rural area, I have sympathy with the member's argument.

The extra funding that we have provided fills the gap between the costs of running services and severely reduced ticket income due to suppressed demand, but I point out that operators who receive that additional funding are not allowed to make a profit under the terms of their public service contracts with the Scottish Government. Any profit before tax that is made on Scottish local bus operations is recovered from participating operators.

The largest bus operators are now running, on average, 85 per cent of their pre-Covid mileage. In some places, operators are running below 100 per cent of pre-Covid mileage due to a lack of drivers because of sickness, self-isolation or national driver shortages. When I talked to a major operator earlier this week, I was struck by its concerns. As is happening across society, it might plan services the evening before, on the basis of expected capacity, but—lo and behold!—it discovers, first thing in the morning, that more drivers are off and much reshuffling has to be done. It is, of course, difficult to communicate those service changes to service users, but I think that the operators need to get better at doing so.

With current driver shortages, bus operators have to make difficult decisions on where best to deploy capacity to meet demand and to maintain basic connectivity, but they have to do so in consultation with local transport authorities. It is right that decisions about local bus service provision be determined locally and after consultation. That is why it is a condition of our funding that bus operators are required to consult and co-operate with local transport authorities when planning services. Operators must respond positively and quickly to reasonable requests from local transport authorities to amend provision and keep services under review.

Colin Smyth: The minister will know that the overwhelming majority of bus services in rural areas are subsidised through council support for bus companies. What does he think the local council budget cut of about £300 million will do? The money given to councils is not ring fenced. Does he think that the cut will lead to even more services being reduced?

The Deputy Presiding Officer: Minister, I will give you time back for that and for the earlier intervention.

Graeme Dey: Thank you.

It is regrettable that every contribution from Colin Smyth in the chamber comes down to being anti-Scottish National Party, anti-Scottish Government or councils versus Government. I noted earlier that £57 million is given to local authorities to support additional services. However, I agree with Colin Smyth that the current model does not work and that we need to change it.

I understand that the relevant local transport authorities are in discussion about the planned suspension of the X53 service and that the issue is due to driver shortages. Therefore, I welcome the on-going work on potential solutions to maintain the service. To clarify, as Alexander Stewart will recognise, the X53 service was put in place during the first national lockdown, after Stagecoach in Fife cancelled its 23 service between St Andrews and Stirling due to low demand. First Scotland East stepped in to run the X53 as a partial replacement for the route. It operates on a commercial basis, but I understand that the problem is driver shortage. I welcome the fact that the relevant LTAs are currently exploring alternatives to maintain the service either in full or in part. I know that that is not entirely ideal, but at least the effort is being made to see whether there is an alternative solution while long-term arrangements to maintain connectivity in the area are considered. I also note that, where appropriate and practicable, operators must also plan services in consultation with local health boards, having regard to serving key workers and supporting travel to healthcare settings, including for vaccinations.

Right now, we are seeing labour and skills shortages across the economy and public services. The staffing pressures that have been placed on the bus industry by the pandemic have added to the Brexit problems, and there is no doubt that they are adversely and significantly affecting bus service delivery.

Scottish Government officials are working closely with the sector to facilitate solutions through, for example, the labour and skills shortages action plan and connecting local employability partnerships with bus operators. My officials are in contact with the Department for Transport to address issues around delayed licence applications and driver testing. I have also raised those issues directly with UK Government counterparts.

As we have heard, and as I said to Colin Smyth, the current system is not working in the best

interests of our communities. Through the implementation of part 3 of the Transport (Scotland) Act 2019, we have the opportunity to make progress in that regard. The development of the secondary legislation was paused out of necessity, due to the pandemic. The consultation closed in October, and the analysis should be completed by the end of the year, following which we will move to developing and introducing the secondary legislation.

Local transport authorities asked for flexible options so that they can put in place what works in their areas. The 2019 act provides that range of options with new partnership and franchising models, as well as a power for more local transport authorities to run bus services, supported by the community bus fund.

I look forward to seeing the delivery of bus services that better meet the needs of our communities, wherever they are.

The Deputy Presiding Officer: Thank you, minister. That concludes the debate.

Meeting closed at 18:48.

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