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AITHISG OIFIGEIL

# Meeting of the Parliament (Hybrid)

Wednesday 23 February 2022

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# Scottish Parliament

Wednesday 23 February 2022

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

## Portfolio Question Time

### Justice and Veterans

**The Deputy Presiding Officer (Annabelle Ewing):** Good afternoon. 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 first item of business today is portfolio questions, and the first portfolio is justice and veterans. If a member wishes to request a supplementary question, they should press their request-to-speak button or indicate so in the chat function by entering the letter R during the relevant question.

#### Police (Response to Mental Health-related Incidents)

1. **Pam Gosal (West Scotland) (Con):** To ask the Scottish Government how it is supporting local police forces to respond to mental health-related incidents. (S6O-00756)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** As a first responder, Police Scotland collaborates with local health boards, NHS 24, the Scottish Ambulance Service and others to support those in distress. The Scottish Government has invested £1.1 billion for national health service boards and integration authorities in response to the pandemic. That includes putting £6 million towards additional telephone and online support services. In addition, £2.1 million was provided to expand the NHS 24 mental health hub so that it could be available to the public 24 hours a day, seven days a week. Police Scotland collaborated with NHS 24 to develop a mental health pathway, allowing police call handlers to provide a streamlined journey for people experiencing poor mental health and to direct callers to the mental health hub.

**Pam Gosal:** I thank the cabinet secretary for that answer. A chief inspector in my region highlighted the changing nature of modern policing, with mental health-related incidents posing one of the biggest challenges to the force. Some cases take up to eight hours to deal with.

Violent crime is on the rise, there are fewer police officers patrolling the streets than at any time since 2009, and the Scottish Government has

made a real-terms cut to the capital budget. Will the cabinet secretary express his support for a local policing act, so that local police have the capacity to respond to rising crime on the streets?

**Keith Brown:** In my view, the police have the capacity to respond to crime on the streets, and they respond extremely well, as evidenced by some of the lowest crime rates that we have seen in Scotland for many years. The police are very much used to dealing with people in a distressed state and are very much trauma informed in their response. We are trying to ensure that that is the case across the justice system, and I think that they have done a very good job.

In relation to the capital budget, I note that the Conservatives proposed no amendment to the budget, so they proposed no additional funds—either capital or resource—for the police. I assume from that that the Conservatives support the increased levels of expenditure that we have provided to the police.

On police numbers, I simply point out that we have around 32 police officers for every 10,000 people in Scotland, whereas there are 23 police officers for every 10,000 people across the border. We have increased police numbers since we formed the Scottish Government, whereas the Government that the member supports has reduced police numbers by 17,000—and it is now trying to row back from that. We have a very good record, and we are very supportive of the police.

It is worth pointing out that decisions about the disposition of police forces are a matter for the chief constable. I would hope that the member would support that.

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** How will the trauma-informed approach that is set out in the newly launched document “The Vision for Justice in Scotland” be embedded within Police Scotland? For example, are there any plans for training in that area?

**Keith Brown:** That is a very good question. I refer to my comment about trying to ensure that the whole justice system is trauma informed. As I am sure the member, as convener of the Criminal Justice Committee, knows, Police Scotland has made a pledge under the NHS national trauma training programme to support our communities, especially those people who are identified as being vulnerable and at risk. The police do that in their daily working practices, liaising closely with national and local partners.

On the specific issue of training, Police Scotland has worked to integrate trauma-informed practices in many key areas of business, and it has adopted the use of NHS Education for Scotland materials. That includes specialist training for detectives and custody officers. It has also committed to providing

specific training to all probationary officers as part of the initial training programme.

**Willie Rennie (North East Fife) (LD):** Two years ago, more than a third of police officers reported that they repeatedly went to work when they were mentally unwell. Ministers at the time said that they were “very satisfied” with the mental health support that was in place. Following additional findings last year, the First Minister said that she “fully supported the efforts.” However, this week, the Scottish Police Federation said that there had been

“no tangible response other than to arrange a meeting in the past few weeks.”

Does the cabinet secretary really think that that is enough?

**Keith Brown:** At the root of the question that Willie Rennie asks is a serious point about the prevalence of mental ill health in Police Scotland. He referred to the situation two years ago. We know that, since then, additional pressures have built up, not least through Covid, but also through working patterns and non-holiday periods. People have had to work through holidays, and we know that there has been a lot of pressure as a result of the 26th United Nations climate change conference of the parties—COP26—and so on. Those things all mean that pressures have increased, and I acknowledge that.

However, it is not true to say that that has not been discussed with the Scottish Police Authority and the chief constable. I have discussed it myself with both the SPA and the chief constable, and I will discuss those issues, and related matters, with the Scottish Police Federation this afternoon. We take these matters seriously, and we are aware of the pressures on police officers. That is one reason why we have ensured that in Scotland, unlike in other parts of the United Kingdom, police officers have had a pay rise this year, and that we maintain police numbers, which can help to reduce the pressures on individual police officers.

### **Medical Cannabis (Guidelines on Prescriptions Sent by Post)**

**2. Beatrice Wishart (Shetland Islands) (LD):** To ask the Scottish Government whether it will work with Police Scotland to provide clear guidelines on legal medical cannabis prescriptions sent to patients by post via Royal Mail. (S6O-00757)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** Guidance was issued by the National Police Chiefs Council on the rescheduling of cannabis-based products for medicinal use in November 2018, and it was shared with Police Scotland. Only individuals who are in receipt of a valid prescription from a

specialist clinician are able to legally possess a cannabis-based product for medicinal use. Individuals who have a prescription for those products can show that prescription to the police as evidence that they are entitled to the product. Police officers can also make inquiries with the prescriber to ensure that the product has been legally obtained.

**Beatrice Wishart:** Police in Shetland rely on the hard work of the charity Dogs Against Drugs to assist them in their work to tackle illegal drugs being brought into the islands, and they recently seized £25,000-worth of illicit goods. Nevertheless, while those dogs are clever, they cannot tell what is legal and what is illegal. That relates to what happened to one of my constituents recently, when his private prescription for medical cannabis was seized as a consequence of dog detection at Royal Mail’s sorting office.

Patients with a diagnosis and a legal prescription for medical cannabis want to ensure that they do not have any negative outcome, such as any sort of criminal footprint. Does the Scottish Government have any plans to help police officers to identify legal prescriptions by introducing a scheme to assist in that regard? Is the cabinet secretary aware of an existing scheme called Cancard, which could be used as another tool in the toolbox to enable police officers to better assess situations that they may face?

**Keith Brown:** Again, Beatrice Wishart raises an important point. The Scottish Government does not support the Cancard system for a number of reasons; I am happy to correspond with her on that.

Beatrice Wishart is right to say that people who are in receipt of those prescriptions should have clarity about what the checks are. I am willing to write to Police Scotland to ask whether it wants to publicise the advice that it uses, which is issued by the National Police Chiefs Council, as the matter is reserved. I know that some of the issues that her constituent experienced were to do with the use of the Royal Mail. People should have clarity on what is likely to cause them issues. There is no need for a prescription at the Royal Mail stage, but when an issue is picked up by dogs, a prescription has to be used. There is a need for more clarity, and I am willing to write to Police Scotland to ask it if it is able to provide that clarity.

**Pauline McNeill (Glasgow) (Lab):** As one of the co-conveners, with Rona Mackay, of the cross-party group on medicinal cannabis, I ask the cabinet secretary whether the Government is opposed to any kind of scheme if it is not in favour of Cancard? The Cancard scheme was designed with the help of doctors and senior representatives of the Police Federation of England and Wales—

admittedly, that is for the United Kingdom. We have had a very helpful response from Assistant Chief Constable Gary Ritchie on the issue. Would the cabinet secretary be prepared to meet with us and discuss something similar, so that a similar incident to that in Shetland does not happen again?

**Keith Brown:** I am certainly happy to meet with members and consider that. The objections to the Cancard scheme come from the medical profession, at least in part, but I am happy to consider the point and write to both members with more information and, after that, to have a meeting to discuss it further.

### Veterans (Support)

**3. Gordon MacDonald (Edinburgh Pentlands) (SNP):** To ask the Scottish Government whether it will provide an update on what support is being offered to veterans across the country. (S6O-00758)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** The member will be aware that the Scottish Government has given an annual update to the Parliament each year since 2017 on our support for veterans and the armed forces community in Scotland, accompanied by a published report. I thank the member for his contribution to that debate last year—and, I think I am right in saying, in previous years. We will provide a similar update in November this year. We also intend to publish a refresh of our veterans strategy action plan, detailing our commitments to the veterans and armed forces community in Scotland, during the first half of this year.

**Gordon MacDonald:** The Edinburgh lord provost's commission on a strategy for our ex-forces personnel recently published a report on its work, which recognised that although progress has been made, there remains a long way to go in supporting our veterans.

Will the cabinet secretary use the findings of the report to inform both national and local policy, particularly in relation to housing, to support the transition from military to civilian life?

**Keith Brown:** The Government is reviewing its veterans strategy action plan with a view to publishing a refreshed version during the first half of this year, so we will work with key stakeholders to determine the extent to which existing commitments remain valid and, of course, to determine where there is an opportunity to add to them.

We intend to consult with the local authority armed forces and veterans champions, not least Frank Ross, the lord provost of Edinburgh, whom the member mentioned. We will consider the views and the findings of the City of Edinburgh

Council's document, "The Strategy for our Ex-Forces Personnel" when developing a refreshed set of commitments to support veterans and the armed forces community in Scotland.

I commend Frank Ross for his work with veterans over a number of years.

### Veterans Identity Card Scheme (Roll-out)

**4. David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government what its response is, regarding the impact on Scotland, to reports that the United Kingdom Government is unable to give a timescale for the roll-out of the second phase of the veterans ID cards scheme. (S6O-00759)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** We believe that it is important that, should they choose to do so, veterans are able to easily identify themselves as such when accessing services. I urge the UK Government to press ahead with its plans to undertake a scoping study for the provision of digital verification of veteran status and I thank it for involving the Scottish Government in the recent discovery work for that project, which I think involved interaction with consultants. I encourage the UK Government to continue to work collaboratively to deliver a service that meets the needs of veterans across the UK as soon as possible.

**David Torrance:** Does the cabinet secretary agree with me that we all owe a debt of gratitude to our armed forces and veterans community and that an urgent commitment must be given to allow access to the scheme for all our veterans as soon as possible?

**Keith Brown:** I agree with the member; veterans are assets to our society and the Scottish Government's ambition remains to make Scotland the destination of choice for service leavers, wherever they come from, and their families. By doing that, we can offer high living standards, great job prospects, and a society that respects and values their contribution.

I repeat my encouragement to the UK Government to work collaboratively with us to deliver as soon as possible a veterans ID service that meets the needs of veterans across the UK.

### Rape (Civil Damages Cases)

**5. Katy Clark (West Scotland) (Lab):** To ask the Scottish Government, in light of recent reports of the third successful civil damages case for rape, whether it will review the reasons why these cases were not prosecuted in the criminal courts. (S6O-00760)

**Ruth Charteris QC (Solicitor General for Scotland):** I am grateful to Ms Clark for raising this important and topical issue.

In two of the three cases referred to, there were indeed criminal prosecutions prior to the civil proceedings. In those two criminal cases, the jury returned a majority verdict of not proven.

In the other case, a decision was taken that there could be no prosecution, as there was insufficient evidence and no reasonable prospect of securing a conviction. In 2017, that decision was fully reviewed by senior Crown counsel with no previous involvement. The review concluded that, looking at the evidence as a whole, the decision not to raise criminal proceedings was correct.

**The Deputy Presiding Officer:** Thank you. Before I take any supplementaries, I remind members about the need to avoid going into detail about specific cases or speculating about the potential outcomes of any specific cases, otherwise they risk breaching any relevant court orders that may be applicable.

**Katy Clark:** The standard of proof is obviously different in civil cases, but does the Solicitor General agree that, as a matter of policy, there should be a review of all case papers where a civil case is successful? Could she outline the policy on allowing private prosecutions? According to media reports, one of the women who is concerned is considering that course of action.

**The Solicitor General for Scotland:** I should perhaps begin by making it clear that, of course, there is no necessary inconsistency between a decision not to prosecute or a failure to obtain a conviction in criminal proceedings, and success in civil proceedings. The decision maker is different: we have a jury in one case and a single judge or sheriff in others. The standard of proof is different: in criminal cases, guilt must be proved beyond a reasonable doubt, whereas, in civil cases, liability is decided on the balance of probabilities. Obviously, the rules of evidence and procedure are considerably more relaxed in civil cases than in criminal cases. For example, there is no requirement for corroboration in civil cases, and the rules in relation to hearsay are also much more relaxed.

I was asked about the policy in relation to successful civil cases. In the two cases in which proceedings had taken place, a review of the evidence led in the civil proceedings was carried out, and it was judged that that evidence would not have made any difference to the criminal case. In relation to the other case that has been touched on, following success in the civil proceedings and Lord Armstrong's judgment, the then Lord Advocate ordered a further review to be carried

out by independent Crown counsel. As I indicated, that review concluded that, looking at the evidence as a whole, the decision not to raise criminal proceedings was correct.

**Russell Findlay (West Scotland) (Con):** Denise Clair appreciates the need for the Lord Advocate to recuse herself from consideration of any private prosecution, due to her past representation of David Goodwillie. She is also grateful for the Solicitor General's offer of a meeting. However, in the spirit of transparency, will the Solicitor General commit to sharing with Denise Clair the Crown's 2017 review of the original decision not to prosecute?

**The Solicitor General for Scotland:** I understand that the decision not to prosecute continues to cause great upset to Denise Clair and I am genuinely sorry that Ms Clair feels that she has not been provided with the relevant information.

I have been asked about disclosure of information. I understand that Ms Clair previously attended a meeting with prosecutors in 2011, and also that a letter was sent to her MSP in 2017, following the case review, in which a meeting was offered. I have already indicated to Mr Findlay that, if it would be of benefit to her, I would be very happy to meet Ms Clair in order to explain the reasons for the decision. I would also be keen to hear from Ms Clair about her experience in the criminal justice system, in order to assist the Crown Office with our on-going wider review into the prosecution of sexual offences.

**The Deputy Presiding Officer:** The next question is from Rachael Hamilton, who joins us remotely.

#### **Police Officers (Scottish Borders Command Area)**

**6. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** To ask the Scottish Government how many police officers are stationed in the Scottish Borders command area of the Lothians and Scottish Borders police division. (S6O-00761)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** The information that Ms Hamilton requested is not held centrally by the Scottish Government. She has been a member of the Parliament for some years, so I am sure that she is aware that the recruitment and deployment of police officers and staff is a matter for the chief constable, who regularly reviews the size and shape of the policing workforce in light of changing demands.

Local police divisions have a core complement of officers who are always dedicated locally to community and response policing and who draw

on specialist expertise and resources at a regional and national level. Current Scottish Government statistics show that we have about 32 officers per 10,000 of population. Just over the border from the Scottish Borders, there are 23 officers per 10,000 of population in England and Wales.

**Rachael Hamilton:** The Scottish National Party has cut officer numbers in the Lothians and Borders division by 59 since Police Scotland was formed, and my constituents are concerned that a reduced police presence has left the Borders exposed to rural crime. People who live in rural areas deserve to feel safe too, so I ask the cabinet secretary to back Scottish Conservative plans for a local policing act to increase transparency of rural officer numbers. Will he also meet me to discuss the need for an official marker in Police Scotland's crime reporting system to record rural offences, to help to tackle rural crime?

**Keith Brown:** I am always happy to meet members to discuss concerns. I did not catch the whole of the requested remit for the meeting, but I am happy to meet members.

In relation to backing anything that the Conservatives suggest, we must start from a position of agreed facts. The fact is that the Scottish Government has not cut police numbers by 59, as has been said. I mentioned—and I think that most people know and support this—that it is for the chief constable to decide the disposition of police forces. I point out the hypocrisy in attacking the level of police numbers in one area when, just over the border from that area, numbers are substantially lower. Although that area happens to be overseen by a Government of a different persuasion, it does not mean that the point should pass without comment.

What Rachael Hamilton says is an attack on the Police Service, because the Police Service, through the chief constable and the Scottish Police Authority, decides on the matter. Before the Tories revert to making an argument about budgets, I point out that they did not seek in Parliament to amend the police budget, even though they promised for many months that they would give more funding.

If we could start from a position of agreed facts, perhaps we could discuss what we can and cannot support in relation to Conservative initiatives. However, I reiterate that I am more than happy to meet Rachael Hamilton to discuss the issues that she is concerned about.

**Foysoyl Choudhury (Lothian) (Lab):** What discussions has the Scottish Government had with the Lothians and Scottish Borders police regarding their capacity to deal with reports of violent crime in the area?

**Keith Brown:** We do not discuss such matters directly with the Lothians and Scottish Borders police—the discussions that I have are with the chief constable and the chair of the Scottish Police Authority, and sometimes through organisations such as the Association of Scottish Police Superintendents. Those discussions are based on the national police force that we have. I believe that the increased budget for police that we managed to agree this year goes a long way in helping the police to meet the demands of crime.

The levels of some crimes have increased—the member mentioned violent crime, although homicide numbers are down at an all-time low since records began in the 1970s. The situation is complex, but we provide the resources and discuss with the police the resources that are required to allow them to do that most important job of addressing any instance of crime in their area. That is discussed on a national basis rather than on the regional basis that the member mentioned.

#### Online Safety Bill

**7. Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** To ask the Scottish Government what discussions the justice secretary has had with the United Kingdom Government regarding the impact on Scotland of the online safety bill. (S6O-00762)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** No finalised online safety bill has been published by the UK Government yet. Although there has been engagement between officials in the Scottish Government and those in the UK Government, I have not yet had any discussions with the UK Government about the impact on Scotland of its proposed bill.

**Dr Allan:** Telecommunications is a reserved issue, but the Scottish Government has been taking important steps wherever it can to better protect people from abuse. Will the Government give an update on when the main provisions of the Defamation and Malicious Publication (Scotland) Act 2021 will come into force?

**Keith Brown:** The member raises an important point. As he says, the Parliament has agreed legislation that will simplify and modernise the law on defamation, and I am pleased that the Scottish Government expects to lay commencement regulations in early May, which will bring the 2021 act into force this summer.

**Jamie Greene (West Scotland) (Con):** One of the proposals in the online safety bill is to be David's law, which is named after Sir David Amess—a public servant who paid the ultimate price as a result of hatred. I hope that, in a spirit of co-operation, the Scottish Government will look

favourably on any such proposal. I ask the cabinet secretary to ensure that his officials will work closely with UK Government officials on that element of the bill, to ensure that all public servants, irrespective of their political persuasion, are afforded the same rights against online abuse and hatred as everyone else outside this building has.

**Keith Brown:** I agree that it was a deplorable and tragic act that led to the killing of Sir David Amess, and we would want to support anything that can lead to a situation in which such an appalling attack is less likely in the future.

Given that the bill has not been published, it is difficult to give any agreement at this stage. In fact, the UK Government has made a number of announcements that have changed the bill's proposed content. However, I will look seriously and sympathetically at the bill—from what I have heard and from what I have seen reported in newspapers, it will have potentially productive elements. Scottish Government officials and I will engage with the UK Government on the issues.

### Veterans (Legislation)

**8. Liz Smith (Mid Scotland and Fife) (Con):** To ask the Scottish Government whether it will provide an update on what plans it has to introduce legislation to support veterans during this parliamentary session. (S6O-00763)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** We regularly consider the extent to which introducing legislation is appropriate or possible. We continue to engage with the Ministry of Defence as it seeks, for example, to further embed the Armed Forces Covenant into legislation through the Armed Forces Act 2021, which received royal assent on 15 December 2021.

We worked closely with the MOD in advance of the legislation being introduced to ensure that the 2021 act would be fit for purpose in Scotland, and we continue to work with the MOD as it develops the statutory guidance. We are satisfied that the covenant provisions in the act do not fall within this Parliament's legislative competence.

**Liz Smith:** The cabinet secretary will recall that, on 7 December 2021, he said that 22 bills are planned for the justice and veterans portfolio. However, it is clear from freedom of information responses that the Scottish Government has no plans to go down the legislative route for veterans. Does that mean that the Government is now saying that it is not willing to use the devolved powers at its disposal to create a new top-up benefit for veteran households that are in receipt of universal credit?

**Keith Brown:** Consideration of the latter matter would fall to Shona Robison, who is the cabinet secretary in charge of social security.

I have just answered the first part of the member's question. We keep under continual review things that we might want to legislate on. Although that aspect does not feature in the 22 bills that the member referenced, we will introduce a number of other bills that do not feature in those 22 bills. It is possible that other bills might also be introduced. The party that the member represents has mentioned two or three bills that it wants to introduce, so the list of 22 bills is not exhaustive. As I said, we keep—and will continue to keep—under review the extent to which introducing legislation is appropriate or possible.

**The Deputy Presiding Officer:** Rona Mackay has a brief supplementary question.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** What mental health and disability support does the Scottish Government have in place to support veterans to live a healthy life and reach their full potential?

**Keith Brown:** We are committed to ensuring that all veterans who live in Scotland can access the best possible care and support, including safe, effective and person-centred healthcare. We fund two veteran-specific mental health and wellbeing providers—Combat Stress and Veterans First Point. Additionally, each national health service board has an armed forces and veterans champion, who can offer veterans advice and guidance.

To return to the previous question, we have bold ambitions for new Scottish disability benefits, which come under the remit of the cabinet secretary who is responsible for that area. We have identified several ways to provide disabled people, including veterans, with a different experience when accessing the support to which they are entitled, which includes improving the application process, assisting applicants to gather supporting information from a professional to help make decisions and abolishing functional assessments.

The issue also impinges on a previous question and answer about identity cards, which would allow veterans to access services more easily. In addition, as part of the benefit take-up strategy, we will continue to engage with our seldom-heard groups, including veterans, to maximise take-up and to ensure that such voices are heard and considered in our policy work.

**The Deputy Presiding Officer:** That concludes portfolio questions on justice and veterans. I will allow a short pause for front-bench teams to safely change seats.

## Finance and the Economy

**The Deputy Presiding Officer:** The next portfolio is finance and the economy. I again remind members that, if they wish to request a supplementary question, they should press their request-to-speak button or indicate so in the chat function by entering the letter R during the relevant question.

### Coalfield Communities (Regeneration)

1. **Stephanie Callaghan (Uddingston and Bellshill) (SNP):** To ask the Scottish Government what impact the recent funding of £754,000 to the Coalfields Regeneration Trust will have on community-led regeneration in former coalfield communities across Scotland, including in the Uddingston and Bellshill constituency. (S6O-00764)

**The Minister for Public Finance, Planning and Community Wealth (Tom Arthur):** Our continued funding for the Coalfields Regeneration Trust is helping to create jobs, enabling more people to develop the skills and qualifications that can help them secure good work, build community capacity and improve health and wellbeing.

The trust continues to support all former coalfields communities including those in Lanarkshire through, for instance, the creation of community action plans in Croy, Chapelhall, Auchinloch, Rigside and Douglas Water, and Blantyre, which act as a catalyst for change.

**Stephanie Callaghan:** In stark contrast to Mrs Thatcher's heartless devastation of Scotland's coal industry, which still blights many coalfield communities, including those in Lanarkshire, where I live, the recent Scottish Government budget commits at least £2 billion of the first multibillion-pound public and private investment that we need in this session of the Parliament to ensuring a just transition by investing in people and communities. Will the minister explain why he places such emphasis on the importance of workers, communities and industries across Scotland leading the wider plans to transform Scotland's economy? How will those wider economic plans improve the standard of living for all our citizens, including the residents of the Uddingston and Bellshill constituency?

**Tom Arthur:** A just transition acknowledges that workers and communities have historically been on the front line of significant transitions, such as the unplanned and deeply unjust closing of coal mines, so they must have a say in how the changes are made. In Scotland, we will plan with industry, communities and our highly skilled workforce to secure a truly just transition to net zero. The Scottish Government believes that our efforts to deliver a just transition should also

reduce child and fuel poverty because, fundamentally, the work is about using the transition to net zero to build a fairer, greener society for all. *[Interruption.]*

**The Deputy Presiding Officer:** I hear a lot of chatting and sedentary interventions on the part of members. I did not receive one request for a supplementary on that question.

### Brexit (Impact on Exports to the European Union)

2. **Paul McLennan (East Lothian) (SNP):** To ask the Scottish Government what analysis has been undertaken of the impact of Brexit on exports from Scotland to the European Union. (S6O-00765)

**The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee):** The new trade arrangements with the EU mean more paperwork and higher costs for Scottish importers and exporters. Due to the end of the EU transition period, 55 per cent of exporters in the manufacturing industry report higher transportation costs, 42 per cent report higher costs due to red tape and 24 per cent report extra tariffs or taxes. In 2019, Scottish exports were growing consistently in all directions—to the rest of the United Kingdom, the EU and the rest of the world. We now have clear evidence that that is no longer the case due to Brexit, as Scottish trade in goods with the EU fell by 24 per cent in the latest year to quarter 3 2021, compared to the equivalent period in 2019.

**Paul McLennan:** The food and drink sector has been disproportionately affected in that regard. A recent study by Johnston Carmichael and the Food and Drink Federation in January this year showed that many Scottish food and drink suppliers plan to decrease or stop exports to the EU. The survey quizzed business leaders at some of the UK's top food and drink businesses on how they were coping with increased costs, additional administration and bureaucracy a year on from the UK leaving the EU. What work is the Scottish Government undertaking with the food sector to retain and grow new markets in the EU despite the disaster of Brexit?

**Ivan McKee:** As the practical implications and challenges of the post-Brexit trading environment become clearer, the Scottish Government continues to work closely with partners to provide advice and support to food and drink businesses to help them to adapt, maintain competitiveness and take advantage of new opportunities. The Government supports companies to consolidate their market positions and rebuild their potential for innovation, capability building and developing new market opportunities.

With respect to food and drink, that is delivered through our support for the £4.5 million Scotland Food & Drink export plan, which harnesses public and private sector resources to help the industry to exploit the most significant opportunities for Scotland through a dedicated global team of in-market specialists in 10 key locations, including EU markets. The work of the export plan and the in-market specialists is aligned with the food and drink sector recovery plan and our export plan, “A Trading Nation—a plan for growing Scotland’s exports”. That mitigates the challenges of Brexit and Covid and is a vital initiative as markets around the world reopen following the pandemic.

**Willie Rennie (North East Fife) (LD):** I agree with the minister that creating barriers to trade following the break-up of economic partnerships is disruptive to the economy and costs jobs. I cannot agree with the Scottish National Party’s plan to repeat those Brexit mistakes by breaking up another economic partnership—the United Kingdom. Has the minister undertaken analysis of the impact of Scottish independence on exports from Scotland?

**The Deputy Presiding Officer:** That perhaps took us a bit wider than the question that was in the *Business Bulletin*, but I am sure that the minister would be happy to respond.

**Ivan McKee:** Absolutely. Willie Rennie has gone down a rabbit warren here. We are well aware of the opportunities that will arise from Scotland being an independent nation. We will have the opportunity to trade with our European partners; the opportunity not to be held back by the economic vandalism of the UK Government with respect to Brexit; and the wide trading opportunities that will arise for exports. That will be a consequence of Scotland being an independent nation that can take our place along with other independent nations of the world and deliver the performance that the Scandinavian countries and other small countries in Europe have delivered, instead of being held back by and tied to a Westminster Government that does not have Scotland’s interests at heart.

As Willie Rennie well knows, analysis has been done on all those aspects, and it will continue to be done. In the very near future, when we get to the point of the independence referendum, which will deliver a yes vote, as part of the campaign for that, we will of course provide full information on the economic prospectus and the positive impact that independence will have for Scotland’s businesses.

### Freeports

**3. Gillian Mackay (Central Scotland) (Green):** To ask the Scottish Government how it will apply fair work and net zero criteria to the freeport

developments with the United Kingdom Government. (S6O-00766)

**The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee):** Fair work and net zero are central to our ambition for Scotland’s green ports. We will apply fair work and net zero criteria at three stages of the process. Currently, we are finalising the prospectus for applicants, and we will ensure that it is clear about the Scottish Government’s expectations in respect of fair work and net zero. We will scrutinise all bids for evidence of a commitment to embedding fair work practices, including payment of the real living wage, and to pursuing robust decarbonisation plans. Following designation, strict governance and rigorous monitoring and evaluation will ensure on-going compliance with those key priorities and across a range of other aspects. We are determined that successful green port bids will comply with all regulation, including payment of the real living wage, delivering on the net zero aspirations and supporting fair work practices. Applications that do not meet those high standards will not succeed.

**Gillian Mackay:** Can the minister confirm that, if companies did not provide the living wage or recognise trade unions, for example, they would be ineligible for support?

**Ivan McKee:** We see green ports as an opportunity to move forward our conditionality agenda. The member will know, because it is part of the Bute house agreement with the Greens, that we are keen to roll out conditionality relating to fair work and the real living wage to as many businesses across Scotland as possible in the support that we provide. I am very committed to that. Green ports are no exception. The Scottish Government is clear that fair work and payment of the real living wage are a requirement if we are to support any businesses in green port designated areas.

**Liam Kerr (North East Scotland) (Con):** It is great news that the Scottish Government has now backed two freeports in Scotland. The Scottish Conservatives support Aberdeen Harbour’s intended joint bid with Aberdeen City Council, Aberdeenshire Council, Aberdeen International Airport and Peterhead Port Authority, which could create up to 22,000 jobs. However, freedom of information requests have shown that the Scottish Government has yet to have any discussions on that with either Aberdeen or Peterhead harbours. Will the minister join me in publicly backing a bid if it comes in?

**Ivan McKee:** That is incorrect. In the past few weeks, I had an online meeting with Bob Sanguinetti—pardon my pronunciation—of Aberdeen Harbour in which we talked through the situation with regard to its bid. I am surprised that

the Conservatives are nailing their colours to the mast with regards to Aberdeen. Does that mean that they do not support the other nine bids that will potentially come forward from across Scotland? Local communities will be interested to hear that. I am told that there are nine or 10 expressions of interest from across Scotland. I have talked to many of the people involved and visited many of those areas, and I will continue to do so in the coming period.

Of course, the process for green port application is rigorous and takes into account all the factors that I have identified. It is right and proper that the process is seen to be transparent and fair and that all the bids are treated equally. That is exactly what we will continue to do. As I said, I am happy to meet representatives of other ports and harbours and anyone else who is interested in discussing the issue of green ports in Scotland in more detail.

**Paul Sweeney (Glasgow) (Lab):** What consultation has the Scottish Government carried out with trade unions and what actions have been agreed with them with regard to the specification for the freeports?

**Ivan McKee:** I have had two separate meetings with the Scottish National Party trade union group on the issue, and I am happy to continue to engage with trade unions. We have been clear about the requirements with regard to the fair work agenda. As I said, I am committed to taking forward that agenda right across my portfolio and particularly with regard to green ports. We are keen that there be no degradation in workers' rights or environmental standards. We see the developments as an opportunity to move forward with the fair work first agenda and with requirements for payment of the real living wage.

As I said, I am very happy to have conversations with anybody who is interested in discussing the issue further.

### Transient Visitor Levy

4. **Sarah Boyack (Lothian) (Lab):** To ask the Scottish Government whether it will provide an update on its plans for enabling local authorities to bring in a transient visitor levy. (S6O-00767)

**The Minister for Public Finance, Planning and Community Wealth (Tom Arthur):** Work towards a draft bill to provide local authorities with a discretionary power to apply a visitor levy, including a series of round-table stakeholder events and formal consultation, was at an advanced stage but was necessarily paused at the onset of the Covid-19 pandemic. Our 2022-23 budget confirmed that we would recommence that work. Given the continuing impact of the pandemic on the tourism sector in Scotland, we consider it

prudent to carefully review the work that has been done to date and to undertake further stakeholder engagement, as set out in the letter on the local government finance settlement to the Convention of Scottish Local Authorities, before making a firm decision on the next steps.

**Sarah Boyack:** I thank the minister for that answer, but it does not tell me when legislation on a visitor levy is likely to be brought to the Parliament. Will he tell us a bit about the legislation? Will it enable local authorities to decide whether to use the powers, and how to use them, without needing approval from the Scottish Government? Will the minister confirm that there will not be any impact on the local government settlement for any council that chooses to use the levy?

**Tom Arthur:** It would not be correct for me to prejudge the outcome of our negotiations and engagement with stakeholders, including local government. Ms Boyack makes a fair point about timescales. We hope that we are now emerging from the acute phase of the pandemic. However, local government elections are on the horizon. We will look to pick up the work, in the spirit that I set out in my original answer to Ms Boyack, following those elections in the spring.

**Miles Briggs (Lothian) (Con):** I have listened to what the minister said about stakeholder engagement. It is incredibly important that he meets members of the hotel industry across the capital, because that sector's recovery following the pandemic is currently the slowest. Many people in the sector are warning that the introduction of the levy will impact on recovery, so I hope that the minister will take it on board that many people in the tourism industry, which has lost many jobs during the pandemic, do not want the levy to be introduced.

**Tom Arthur:** I recognise the points that the member has made. He will be aware from our tax framework, which we published alongside the budget, that engagement is one of our key principles. Engagement will, of course, inform our deliberations on a visitor levy.

### Local Government Funding Settlement (Dundee City Council)

5. **Michael Marra (North East Scotland) (Lab):** To ask the Scottish Government what discussions it has had with Dundee City Council regarding the local government funding settlement for 2022-23. (S6O-00768)

**The Minister for Public Finance, Planning and Community Wealth (Tom Arthur):** Ministers meet the Convention of Scottish Local Authorities and individual local authorities regularly to cover a range of issues. The Cabinet Secretary for

Finance and the Economy and the Minister for Social Security and Local Government met the leader and chief executive of Dundee City Council on 21 September, ahead of the 2022-23 local government funding settlement.

Following the announcement of the Scottish budget on 9 December, both the First Minister and the Cabinet Secretary for Finance and the Economy, on separate occasions, met the COSLA leadership team and council leaders to discuss the impact of the budget on the 2022-23 local government settlement. Councils asked for an additional £100 million to deal with particular pressures. We heard them, listened and went further by providing £120 million at stage 2 of the Budget (Scotland) Bill.

**Michael Marra:** The Parliament's Education, Children and Young People Committee is holding an inquiry into the Scottish attainment challenge. This morning, third sector providers outlined to the committee their on-going concerns about short-term interventions due to the lack of security of Government funding, such as that in my home city of Dundee. Can the minister give assurances to those providers? Does it remain his Government's policy that pupil equity funding should not be used to backfill any cuts that result from the lack of available local authority resource?

**Tom Arthur:** First, I draw the member's attention to the fact that we are undertaking a resource spending review, which will be a comprehensive piece of work. I also draw his attention to the work that we are doing on the attainment challenge. We are expanding the provision to all local authorities, as we recognise that poverty is not unique to the nine authorities that have previously received funding via the attainment challenge. We have an equitable process to achieve that transition over the coming years. The resource spending review provides an opportunity for comprehensive consideration of the points that the member has raised.

**Douglas Lumsden (North East Scotland) (Con):** Last week, it was reported that Dundee City Council did not apply for levelling up funds, despite its being considered a high-priority area. Will the minister join me in calling on Dundee City Council to put its politics aside and work with the UK Government so that residents of Dundee do not miss out on a vital funding stream?

**Tom Arthur:** I will respect the fact that Dundee City Council is an autonomous body that can make decisions for itself. I hope that the UK Government recognises that the levelling up funds cut across devolved territory, and I ask that it show the Parliament the respect that we show our local authorities.

## Fair Start Scotland

**6. Jeremy Balfour (Lothian) (Con):** To ask the Scottish Government what steps it is taking to ensure that the fair start Scotland programme addresses the needs of those who face the greatest barriers to unemployment, such as severely disabled people. (S6O-00769)

**The Cabinet Secretary for Finance and the Economy (Kate Forbes):** Fair start Scotland has been designed to support those who face the most significant barriers into sustainable work, and offers personalised one-to-one support that is tailored to individual circumstances.

In addition, the fair start Scotland service providers offer specialist support to people with disabilities, including the opportunity to access individual placement and support—IPS—and supported employment when that would benefit the individual.

We will continue to work closely with the providers to develop continuous improvement activities for the delivery of support.

**Jeremy Balfour:** Why did the fair start Scotland programme result in only 24 per cent long-term employment rates?

**Kate Forbes:** Data that has been published this morning, 23 February, shows more than 41,000 starts in the service so far, with more than 14,000 people moving into work since the service was launched in April 2018. Fair start Scotland has been designed to support those who are furthest from the labour market. The majority of people who get jobs will sustain them for at least six to 12 months, which is in line with the principles of the service, and one in three participants have been supported into work. I could go through the data on the numbers of people who started work that are sustaining employment over the longer term, which is ultimately the aim of the programme.

**Daniel Johnson (Edinburgh Southern) (Lab):** The critical point here is ensuring that those with talent gain skills and employment. At a time when we are experiencing labour shortages across the economy, employers continue to report a lack of flexibility in many of the skills programmes that the Scottish Government currently offers. Does the cabinet secretary feel an urgency to review the effectiveness of our skills programmes in order to ensure that we adequately address those labour shortages as much as we can?

**Kate Forbes:** Daniel Johnson makes a good point about ensuring that those programmes are as flexible as possible, not just to tailor them to respond to the acute challenges that our economy faces now, but also to specific geographic areas and particular groups.

Fair start Scotland seeks to help those who are furthest from the labour market. Clearly, each individual who participates in that programme will need particular, tailored support, which is why I said in my first answer that it is important that we continue to work with the programme providers to ensure that we improve the activities and ultimately help people into long-term employment.

### **Cost of Living (Financial Support)**

**7. Alex Rowley (Mid Scotland and Fife) (Lab):** To ask the Scottish Government what steps it is taking to ensure that financial support to assist with the rising cost of living reaches those most in need. (S6O-00770)

**The Cabinet Secretary for Finance and the Economy (Kate Forbes):** Despite the uncertainty in our budget position, I announced a package of measures on 10 February to deliver £290 million of support to 1.85 million Scottish households. That is in addition to the measures in the Scottish budget to provide a range of support for households, including £197 million to double the Scottish child payment from April and extend it to all under-16s.

The cost of living crisis is immediate and impacting households now, which is why we have worked closely with local government to ensure that it is able to focus on delivery immediately.

**Alex Rowley:** The problem is that everyone in the chamber who earns £60,000-odd and does not live in an expensive house will get £150—I will get £150. Those who are in most need and struggling the most need to get more support.

The finance secretary will be aware of the criticism from the Poverty Alliance, which said that the SNP's actions to date

“do not just represent a failure of imagination, but also a failure to live up to the responsibility to protect people from poverty.”

Will the cabinet secretary listen to what organisations are saying and accept that it is wrong for MSPs on £60,000-odd a year to get £150 to help them out when some people are having to choose between heating and eating? Will she think again and look at how we can help those who are most in need and are struggling right now in Scotland?

**Kate Forbes:** Alex Rowley raises a number of important points. I reiterate the point that I made when I announced the plan: I have listened to those organisations, but the difficulty is that I could spend months thinking, planning and using my imagination—to use Alex Rowley's words—while families need help now.

The plan that we have announced includes targeted support through the council tax reduction

scheme, which we can use because it is established in Scotland to help families that are struggling the most to pay council tax. We also announced the £10 million fuel insecurity fund to help households that are at greatest risk of self-disconnection, and the £150 for households in council tax bands A to D. That is on top of schemes that were already announced in the budget, because we could see in advance the cost of living crisis.

My commitment right now is therefore to work with local authorities to ensure that that money gets out of the door as quickly as possible. That is my priority because families need the help now.

**The Deputy Presiding Officer:** Fiona Hyslop can ask a brief supplementary.

**Fiona Hyslop (Linlithgow) (SNP):** Other European countries are implementing measures to help individuals and families with rising energy costs. For example, Belgium has cut VAT on electricity by 15 per cent; Spain has cut VAT on energy bills by 11 per cent; and France, has restricted increases in power costs to 4 per cent. Does the Scottish Government agree that the United Kingdom Government should implement cost-saving measures by cutting VAT to limit energy bill increases and help individuals with rising living costs?

**Kate Forbes:** In short, yes, I do. Families across Scotland right now are reflecting on their energy bills, which are one of the greatest pressures on household incomes.

Energy is reserved. We have been calling on the UK Government to cut VAT from energy bills, and I know that the Labour Party and the Liberal Democrats have supported that call. It would have been one of the simplest ways of helping consumers in the short term, but powers over VAT are reserved, as are powers over energy. In the meantime, we have deployed funding as quickly as possible to help those families who are most in need.

**The Deputy Presiding Officer:** I can squeeze in question 8 if we have succinct questions and answers.

### **Local Government Funding (Inverclyde Council)**

**8. Stuart McMillan (Greenock and Inverclyde) (SNP):** To ask the Scottish Government what discussions it has had with Inverclyde Council regarding what financial support is available in addition to the local government settlement. (S6O-00771)

**The Minister for Public Finance, Planning and Community Wealth (Tom Arthur):** As I said in an earlier answer, ministers meet the

Convention of Scottish Local Authorities and local authorities regularly to cover a range of issues, including funding. The finance secretary and the local government minister met the leader and chief executive of Inverclyde Council on 25 November.

Although the majority of funding is provided as part of the local government finance settlement, it is open to individual councils to submit a detailed business case for additional funding outwith the settlement, and the Scottish Government will consider that carefully. Examples of funding outwith the settlement include £86.4 million for employability and the £226 million city region and growth deal.

**Stuart McMillan:** The minister will be aware of the acute challenges that Inverclyde has faced, many of which are long term. Despite the vast levels of finance that the Scottish Government has invested in Inverclyde, including the building of more than 1,400 homes for social rent, saving our jobs at Diodes and Ferguson Marine, and the city deal funding, many of the challenges facing Inverclyde still exist. Can the minister confirm whether Inverclyde Council has submitted a business case for additional funding to help to deal with some of those acute challenges?

**Tom Arthur:** I confirm to Mr McMillan that, as far as I am aware, the Scottish Government has not received a business case for additional funding for the area that he has highlighted.

## National Health Service Dentistry

**The Presiding Officer (Alison Johnstone):** I remind members of the Covid-related measures that are in place and of the fact 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-03281, in the name of Sandesh Gulhane, on preventing the collapse of national health service dentistry in Scotland. I invite members who wish to speak in the debate to press their request-to-speak button or to put an R in the chat function.

14:56

**Sandesh Gulhane (Glasgow) (Con):** We are here today to have a frank debate on the state of NHS dentistry in Scotland in 2022. For sure, Covid-19 has hit dentistry hard, with practices being closed during the early months of the pandemic. Although the service has resumed, infection control measures continue to limit the number of patients that dentists can see in any given hour. Those are serious obstacles, which I will cover more later in my speech.

We should also recognise that, for more than a decade, since well before the pandemic, the Scottish Government's model for engaging with dentists has been flawed. It is wedded to the old system. There is a lack of focus on prevention, with some regulations even being based on outdated practice. Over the years, the Scottish Government has shown little appetite for reform. In fact—this is typical of how the Scottish Government works—it gave practices and the British Dental Association only one working day's notice before introducing free dentistry for people under the age of 26.

As things stand, the situation is bleak. The BDA surveyed its members and found that a third intend to leave the profession during the next 12 months.

**The Cabinet Secretary for Health and Social Care (Humza Yousaf):** Does the member recognise that abolishing dental charges was in the Scottish National Party's manifesto? We had a whole section on dentistry. Why did his party have only one mention of dentistry in its manifesto?

**Sandesh Gulhane:** The cabinet secretary needs to think about how businesses work. One working day's notice is absolutely not enough to allow them to work.

Indeed, there is a risk of an exodus from the workforce, which would mean families losing access to local NHS dentistry altogether. That would hit hardest those in the most deprived communities. We must send a clear message to

dental practices and patients that the Parliament is serious about tackling the colossal backlog of unmet treatment and that we have clear ideas about how to ensure a future for NHS dentistry in Scotland for the benefit of the Scottish people.

With dentists having to ventilate rooms for at least 10 minutes between appointments—time that they are not paid for—their hourly rate has reduced considerably. To help, the Scottish Government committed £5 million for ventilation improvements, but if we read the small print, we find that that support is limited to £1,500 per surgery. Dentists say that significant improvements to increase patient flow would cost at least six times that amount, but the Scottish Government is patting itself on the back. Given the issues with schools, I cannot help but wonder what ventilation measures the Government had in mind.

The cost of everything is going up, from disposables to utility bills and dental laboratory fees. The Scottish Government might wish to speak about record high support and investment in incentives in NHS dentistry, but is that spending effective? Is it actually solving anything? If we listen to the professionals who are delivering dental care or look at the Government's own statistics, we find that the answer is no. More than 3.5 million NHS dental appointments were lost during 2021, and that backlog will continue to grow unless the Scottish Government listens and opens itself up to some fresh thinking.

Patients are suffering. Families are not able to see their dentists. Kids are going without check-ups. The rate of oral cancer in Scotland is twice the rate in the rest of the United Kingdom. The Government has remained silent on that for too long.

Two years ago, at the start of the pandemic, the Scottish Government came up with an emergency funding package for NHS dentistry. It was a typical knee-jerk reaction and, according to dental professionals, it was not fit for purpose. It was a start. However, it is bitterly disappointing that, two years later, there is not an interim package on offer that could pave the way for a longer-term solution. Patients need holistic oral healthcare.

**The Minister for Public Health, Women's Health and Sport (Maree Todd):** If the member believes that the emergency package that was brought in two years ago to support the dental sector through the pandemic is so flawed, why is he asking for it to be continued?

**Sandesh Gulhane:** I will come on to that in great detail, but essentially—*[Interruption.]* I will tell members if they care to listen. Essentially, it is because we need root-and-branch reform of what is going on. We cannot continue with the current position, because NHS dentistry will be lost.

It has been known for years that the current dental treatment remuneration package is in many ways ridiculous, and I will explain why. Let us consider cobalt chrome dentures. If we consider lab bills and appointment times, dentists are working for less than the minimum wage. Then there are extractions. To take out teeth, maybe to prepare a teenager for braces, dentists are paid only for the first three extractions. However, there is more. The price code for composite white fillings on back teeth for children has no relation to what is required in terms of time or complexity. Taking overheads into account, dentists can make a loss.

In Scotland, dentists are not allowed to place a white filling on the biting surface of a back tooth—they may only use metal—so patients either pay or they are disadvantaged by a mouthful of metal, while a white filling can be offered in England and Wales. There seems to be no reason for that other than the Government's regulations being out of date.

We are seeing lower patient participation in our most deprived areas. Oral health inequalities will translate into a higher disease burden in the long term as the chances of picking up early signs of decay and oral cancers at routine check-ups are reduced. Delays in treatment will mean higher costs for the NHS and worse outcomes for patients. NHS dentistry in Scotland was in crisis before Covid hit. As we come out of the pandemic, we know that millions of our fellow Scots have missed out on important oral health checks. Dentists are exhausted and demoralised, and many are looking for the exit to change career, take on more private work or go overseas, where demand is high and remuneration is fairer.

Dentists and their staff are being abused by frustrated patients because of how long they have to wait. People think that dentists are rich, but it is worth noting that, between 2009 and 2019, the taxable income of dentists in Scotland was eroded by 35 per cent. The Scottish Government has failed to grasp that NHS dentistry needs to be adequately funded and to retain a skilled workforce including dental nurses, technicians and support staff. If we do not help the profession, we risk losing NHS dentistry forever.

The Scottish Conservatives want NHS dentists to succeed, which is why we are calling for the emergency funding to remain as an interim solution while the Scottish Government discusses a root-and-branch change with the British Dental Association. We also believe that we need a 30 per cent increase in tariffs as an interim measure. We need to ensure that dentistry is financially viable and is based on delivery of holistic, modern, best-practice services and on prevention, rather than on a fee-per-item and drill-and-fill culture.

By supporting our dentists and their practices, we can ensure that they have a fighting chance of working through the backlog, achieving the goal of offering every Scot a dental check-up in 2022 and staying on track in accordance with clinical guidance thereafter.

We will support the Labour amendment.

I move,

That the Parliament notes with concern that almost half of people in Scotland have been unable to see an NHS dentist for the last two years; further notes the Scottish Government's proposed withdrawal of emergency funding provided to dental practices on 1 April 2022; believes that this funding should be maintained for the upcoming financial year in recognition of the considerable efforts still required to restore services and reduce the significant backlog of patients seeking dental treatment, particularly while maintaining enhanced infection control measures; recognises the importance of regular dental check-ups for people of all ages, both for good dental hygiene and in the detection of some forms of oral cancer; acknowledges the concerns expressed by many in the profession that the current settlement risks making NHS dentistry financially unviable; calls on the Scottish Government to come forward with a plan for ensuring the long-term sustainability of NHS dentistry, including a complete overhaul of the current fee structure to more accurately reflect modern dentistry; further calls on the Scottish Government to increase the dental tariffs provided by government to NHS dentists by a third as an interim measure to sustain NHS dental services, and ensure that all people in Scotland are able to access a dental check-up in 2022 and every year as clinically required thereafter, and calls for the development of a more holistic service that NHS patients deserve, in place of the current conveyor belt system.

15:03

**The Minister for Public Health, Women's Health and Sport (Maree Todd):** I thank Sandesh Gulhane for raising the important matter of patient access to NHS dental care. The dental sector has been disproportionately impacted by the nature of the pandemic. In order to protect patients and staff, dental practices are required to operate with specific infection prevention and control measures, including a fallow time between patients and the use of full personal protective equipment.

During the initial lockdown in March 2020, dental practices were closed to face-to-face patient care, and NHS board centres focused largely on emergency and urgent dental care. Since that initial phase of lockdown, dental practices have slowly remobilised, offering increasing levels of care to their patients. Although registration levels remain comparable with those before the pandemic, the proportion of those patients who have attended a dentist in the past two years has fallen from around 70 per cent to 53 per cent. That is entirely due to the impact of the pandemic.

That is why the Scottish Government has supported the NHS dental sector throughout the

pandemic with an additional £50 million of financial support payments.

**Finlay Carson (Galloway and West Dumfries) (Con):** What assessment has the Government made of the impact of the decision to remove the financial top-up support for NHS dentistry from 1 April?

**Maree Todd:** I will explain. What we have done is to very carefully avoid a cliff edge. We are not simply removing that support; we are replacing it with a system that rewards activity, because we are aware that we need to get more patients seen by dentists.

We have given an additional £50 million of financial support payments, and we have also provided specific funding to mitigate the impact of the pandemic on dental activity. That includes £7.5 million of funding for new dental drills, £5 million for ventilation improvements and £35 million for NHS personal protective equipment to date. The Scottish Government is determined to ensure that NHS dental services emerge well placed to care for the oral health of the whole population.

**Stephen Kerr (Central Scotland) (Con):** What does the minister say to the British Dental Association, which says that her Government's approach could spell the end of NHS dentistry in Scotland?

**Maree Todd:** This Government is unashamedly putting patients first in our thinking about how dental services are delivered. In order to ensure that people in Scotland have access to NHS dentistry that is free at the point of need, we are working really hard to support the dental sector. I would be interested to hear from any Conservative who wants to intervene whether they actually support that commitment to NHS dentistry being free at the point of need.

**Sandesh Gulhane:** It is interesting, because there is a total lack of a financial package. I wonder if the minister has simply outlined right there a new support measure that is coming in April and how she will continue to fund dentistry. NHS dentistry needs to be free at the point of care, but we need to have a financial package for that, which the minister has not set out.

**Maree Todd:** I am very pleased to hear that commitment from my Conservative colleagues. It is absolutely wonderful to have cross-party support for free NHS dental care for everyone in Scotland. I am absolutely delighted.

**Oliver Mundell (Dumfriesshire) (Con):** Will the minister take an intervention?

**Maree Todd:** I ask the member to let me continue and set out the financial package that we have put in place in order to support that.

We have committed to tackling the backlog in care. We announced an additional £20 million of increased fees this month to help dentists to see more patients face to face, including those from our most deprived communities.

**Sandesh Gulhane** *rose*—

**Maree Todd:** I have let Dr Gulhane intervene. I ask him to let me proceed and set out what financial support we are giving our dentists.

That funding announcement is part of a 9 per cent increase in the overall budget for NHS dental services in 2022-23 to support a return to more normal levels of activity. The additional money will deliver enhanced examinations for everyone—children and adults. Children are a key focus as we recover NHS dental care. We have taken steps to expand the funding for the Childsmile programme in dental practices, which will increase its coverage to include those who are 17 years of age.

The Scottish Government recognises the need to address oral health inequalities arising from the pandemic. We will make additional Childsmile interventions of £2 million over two years from April 2022 to support the distribution of additional toothbrushing packs and recruitment of dental health support workers. Those initiatives will focus on families and children who live in areas of disadvantage, especially those from minority ethnic backgrounds.

The National Institute for Health and Care Excellence guidelines state:

“Recall intervals for patients who have repeatedly demonstrated that they can maintain oral health and who are not considered to be at risk of or from oral disease may be extended over time up to an interval of 24 months.”

Looking forward, our vision for NHS dental services is to ensure that all persons with the same clinical needs are treated in the same way, and that special attention is paid to actions that might further disadvantage the already disadvantaged and vulnerable. As part of that, we will engage the sector in suitable reforms that allow dentists to practise modern dentistry, including the introduction of an oral health risk assessment.

**The Presiding Officer:** Please conclude, minister.

**Maree Todd:** I will.

We are putting in place a number of vital processes. We must link financial support to dentistry—to seeing patients. We must reward NHS dental teams for improving patient access. The focus needs to be on the recovery of the sector—

**The Presiding Officer:** Minister, I must stop you there, but I ask you to move your amendment.

**Maree Todd:** I move amendment S6M-03281.2, to leave out from “with concern” to end and insert:

“the impact of the COVID-19 pandemic on all aspects of healthcare, not least on the delivery of dental services due to the volume of aerosol generating procedures, and the impact that this has had on patients seeking appointments during this period; acknowledges that the challenges posed by the pandemic, including the backlog of care, are not unique to Scotland; notes the substantial pandemic-related investment in dentistry of the last two years that includes £5 million for ventilation improvements, £7.5 million for new dental drills, £35 million for additional PPE, and £50 million of financial support to dental practices; recognises that investment in NHS dentistry is increasing to a record high level with a 9% increase in the budget for dental services in 2022-23, including extending the reach of the Childsmile programme in high-street practices to young people up to 17 years of age; welcomes that the Scottish Government is providing dentists with an additional £20 million from February 2022 to give them new and additional incentives to see more patients, and that discussions continue with the British Dental Association on further reforms to support recovery; believes that NHS dentistry, like all NHS services, should be free at the point of need and supports the removal of all NHS dental charges to patients by the end of this parliamentary session, and further supports the Scottish Government’s Oral Health Improvement Plan, which underpins that the frequency of dental checks should be shaped by clinical evidence and an individual patient’s oral health risk assessment, with those at the highest risk being seen more frequently.”

15:10

**Jackie Baillie (Dumbarton) (Lab):** I never thought that I would stand here and say that the very existence of NHS dentistry in Scotland is currently under threat. The Government’s complacency in light of that is genuinely deeply concerning. NHS dentistry is in crisis. From the millions of lost appointments to the struggle to see an NHS dentist, plummeting staff morale and widening social inequalities, it is clear that urgent action is needed to pull our NHS dentist services back from the brink. Almost half of people in Scotland have been unable to see an NHS dentist for the past two years.

Yes, I know that we have had the pandemic, but the path to recovery is far from clear. Figures from Public Health Scotland show that the number of treatments up to March 2021 was down by something like 75 per cent. That equates to as many as 3.5 million appointments having been lost. That backlog will take years to clear. Measures imposed on dentists by the Government due to the pandemic have meant that the number of patients that NHS dentists are able to see is still severely limited. The British Dental Association has told us that, despite the best efforts of dentists, returning to “business as usual” is still a “distant prospect”.

It is important to note that the restrictions did not apply to private dental treatment, which is a surprising omission by the SNP Government. No wonder so many people were turning to private dental care: the Government has left them with no other choice to get the essential care that they needed.

The consequences of that are likely to be profound. In effect, we are seeing the backdoor privatisation of the Scottish dental sector. It is not as simple as lifting the restrictions and everything will be fine, as 80 per cent of Scottish dentists are planning to reduce their NHS commitment if the Government reverts to pre-pandemic arrangements.

**Jamie Greene (West Scotland) (Con):** Will the member take an intervention?

**Jackie Baillie:** I will in a second.

Let me translate that for the Government: “reduce their NHS commitment” means do the same work but in a private setting, and that will simply deepen inequalities.

**Humza Yousaf:** Will the member take an intervention?

**Jackie Baillie:** I am very conscious of the time; I apologise to the people who want to intervene.

Only yesterday, I was contacted by a woman who raised the issue of appointment deposits, which was new to me. To attend her free NHS check-up and receive a £13 basic dental clean, she is being charged a £20 deposit. At a time when the cost of living is sky-rocketing, many families cannot afford to part with £20, especially for an appointment that should be routine.

Let me turn to the subject of inequality. Public Health Scotland tells us that fewer than half of adults from the most deprived areas have seen an NHS dentist over the past two years. For the wealthiest areas, it is well over half. Those inequalities are only starker when it comes to children’s dental care, with only 55 per cent of children from the most deprived areas being seen by a dentist over the past two years, while the figure is 20 percentage points higher among those from the least deprived areas.

It was of course Scottish Labour that introduced childsmile. We did that to tackle inequalities in oral health and to ensure access to dental services for every child in Scotland, regardless of their background. I am pleased that the Scottish Government has continued it. It is depressing, however, that the considerable progress that has been made in child dental health is now going backwards. That, coupled with the fact that those from poorer backgrounds are less likely to have received treatment, is nothing short of a national disgrace. Under the SNP’s watch, dental care is

fast becoming the privilege of the few who can afford to go private. That is why Scottish Labour’s amendment calls for action to avoid a two-tier dental system.

It is essential that emergency funding for dentists does not stop at the end of March. I do not understand how any Government could look at the current state of NHS dentistry and deem now to be an appropriate time to end support. I note the list of moneys that the minister outlined, and I welcome it, but it is not just a case of needing more money—the current model of funding for dental services needs to change.

The current model is about as old as the NHS itself, which is older than me, and it is no longer fit for purpose—a fact that has been recognised by the chief dental officer. The current fee-per-item model is not sustainable, as it relies on high-volume turnover and does not reflect the need to prioritise prevention or give dentists the time to care.

It is a question not of more examinations but of better outcomes. The Government should really listen to the Scottish Dental Association and the British Dental Association on that point. Consultation on changes was promised two years ago, and again last year, but nothing has happened. I say to the Government: please stop promising to consult and actually do it, before stopping support of any kind—

**The Presiding Officer:** You should conclude, Ms Baillie.

**Jackie Baillie:** The Government should consult before it stops support, or NHS dentistry will fall off a cliff edge and end up being privatised on the SNP’s watch.

I move amendment S6M-03281.1, to insert at end:

“; is concerned by the growing inequality in access to NHS dental care, with recent statistics showing that thousands of people in the most deprived areas have not seen a dentist in over two years; believes that immediate action is needed by the Scottish Government to avoid a two-tier dental system, and urges the Scottish Government to take urgent action to ensure that everyone, irrespective of background or circumstances, has access to first-class NHS dental treatment.”

15:16

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I am grateful to Dr Gulhane for securing time to debate this important matter in Parliament today.

As we know, it is estimated that around 5 million people are registered with an NHS dentist in Scotland, which represents 95 per cent of our population. We should all be able to expect a check-up, treatment and assistance wherever and

whenever we may need it. Provision should be universal, regardless of where we live or what we can afford. That is the cornerstone of our healthcare system, in which dentistry—as we have heard this afternoon—is a key service.

Of late, however, that reality is diminishing. I know that I am not alone in the chamber when I say that I have had many constituents contact me because they have been unable to access basic NHS dental services. Some have had to wait months for so-called emergency appointments. Jackie Baillie rightly raised the new spectre of deposits for appointments. That is not surprising if we look at data from last summer, which revealed that residents across Lothian were waiting up to six months for routine dental care alone.

**Maree Todd:** I have made it fairly clear that the practice of asking for deposits in advance of NHS appointments is not allowed. We have asked private dental practices to follow NHS rules from Healthcare Improvement Scotland.

**Alex Cole-Hamilton:** I am grateful that the minister and the Government are taking that seriously.

In particular, people have got in touch with me about being unable to arrange appointments for their children. Many children across Scotland have not had a check-up in years. Of course, that is in part down to the pandemic, but there is also an issue of availability. It is particularly worrying that children will not receive attention during such an important growth period in their lives, when expert eyes are needed the most.

When the Government first came to power, it used child dental health as a metric for poverty in the national indicators. However, Scottish patients, instead of being provided with the care that they deserve, are instead being told to look for private care. As that is simply out of the question for so many families, yet another barrier is being placed before those who are struggling the most with the cost of living.

According to the most recent data, only 55 per cent of children from the most deprived areas of Scotland were able to get an appointment, in comparison with 73 per cent in the least deprived areas. That is a health inequality. Dentists in Scotland have warned us that such disparity will contribute towards a healthcare inequality gap in which disease and long-term problems will become more and more commonplace among the most disadvantaged. That simply does not cut it. The issue is not just dental check-ups; mouth cancer can be missed if people do not attend those important screening appointments. There are many groups—

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

**Alex Cole-Hamilton:** I am afraid that I do not have time—I must make progress.

There are many groups across society that need our attention regarding this issue. Only on Monday, I spoke to a constituent who is a veteran. He told me that the huge lack of co-ordination across services means that veterans routinely struggle to access dental care on leaving the armed services. That needs to be noted in any changes that are made to service provision in future.

It is not only our patients who are struggling; our dentists are under enormous pressure. A Scottish dentist, Dr Douglas Thain, said recently that dentists have been repeatedly asked to provide

“a fine-dining experience with McDonald’s resources.”

Dentists are having to sacrifice their own welfare for the sake of providing basic services that they should be given the resources to deliver.

That is, sadly, another example of those who work in healthcare being burdened with poor mental health as a result of the job that they chose to do. That is why my party’s burnout plan, to provide mental health services to dentists and other healthcare practitioners and all NHS staff, is still so important—not only does the current situation put inordinate strain on our dentists, it causes a much deeper problem. Dentists within the NHS are being handed a severe lack of funding and slashed unit prices, which is being combined with an increased demand for dental services. It is a perfect storm.

I can see that you want me to close, Presiding Officer, so I will finish by saying that our dentistry system needs to be accessible to everyone and a radical overhaul is needed. That is why the Scottish Liberal Democrats will be supporting Dr Gulhane’s motion.

15:20

**Finlay Carson (Galloway and West Dumfries) (Con):** They often say that life is short and you should smile while you still have teeth. Sadly, there are going to be a lot of unhappy people right across Scotland unless dramatic action is taken to start tackling the enormous dental backlogs, which are growing longer day by day.

Tragically, one of the most serious legacies of the 15 years of this Government’s failures, and there are plenty, is a worrying rise in dental inequalities—nowhere more so than in rural and deprived communities across Scotland that have already been the hardest hit during the past two

years of Covid, with fewer than half of adults being able to see their dentist. Perhaps even more alarmingly, only 55 per cent of children were able to do likewise.

To add further to the bleak outlook, dentists have already warned of a mass exodus from this health sector that will leave many people with little or no access to dental care unless new funding and measures are urgently put in place. The British Dental Association has already revealed that four in five dentists will reduce their NHS commitment, leaving huge numbers of NHS patients with a stark dilemma—either go private or simply do not go at all. In many cases, there is no other option—they will have to just bite the bullet, if members will excuse the pun, and pay into an expensive dental plan at a time when most households can ill afford to take on extra expense, or instead watch their smiles disappear. Those are the options.

Like a great many other members, I am sure, my correspondence on dentistry issues has grown dramatically in recent weeks. One constituent in Stranraer, in my Galloway and West Dumfries constituency, told me of the plight facing her in getting access to dental treatment and care for her children. She had always been of the opinion that all children got dental review and treatment free of charge in Scotland. However, that is no longer the case, she informed me. The majority of dentists in the region now refuse to take any children on to their lists unless their parents register privately and pay into an expensive monthly insurance scheme.

There are a few exceptions—one dentist in Dumfries is still accepting NHS patients—but that would involve my constituent taking a 150-mile round trip. Most dental practices state that they are full and unable to take on children, yet if she paid, all of a sudden, her children could be seen. That discriminates against those from less well-off backgrounds whose parents cannot afford those schemes.

Another constituent informed me that their children were registered with a new dentist last October and an appointment was scheduled for January but cancelled. However, if she paid for them to go privately, they could be taken straight away. She said:

“If I was able to pay private I would, but with a growing family and increasing living costs there is no way I can afford it but feel this is the way things are being forced.”

I am also reliably informed that not one dentist in Stranraer is taking on new NHS patients. It raises the question: how many people are expected to afford private dentistry, if they can even find someone?

In Castle Douglas, there is another dentist who is not taking NHS patients, again leaving many families struggling to make arrangements. It is little wonder that the number of children registered with an NHS dentist is declining in my region, which is a situation that must surely be addressed as a matter of urgency.

The warm words from the minister will be of little comfort to my constituents in Stranraer whose children have no access to NHS dentists unless they travel for 150 miles. Can people imagine the outcry if we asked patients in Edinburgh or Glasgow to travel to Dundee to see a dentist?

This SNP Government thinks that an indicator of success is simply crowing about more equipment or increased funding and it repeatedly fails to recognise that the indicator for success right across the health sector is better outcomes for patients. The Government has given us very little reason to be happy. I urge the cabinet secretary to urgently address this growing crisis and find the necessary resources that will at least let our children smile.

15:24

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** I thank all those in the medical services, but I will focus on dentists, who have been endeavouring to deliver essential services in the unique and difficult situation of the past two years, which continues. It is obvious that dentists, in particular, with their necessary use of aerosol procedures, as well as the intimacy of dental contact with patients and the design of their facilities, have found it particularly difficult to tend to their patients. People are also avoiding treatment, for fear of Covid.

As in other areas—this is not confined to the health service—the backlog has been unavoidable, although none of us could have predicted how far it would go. However, the pace is picking up in delivery of services. Our concern about and understanding of why we are here now should be agreed. However, the hyperbolic nature of the Conservative motion reminds me more of “We’re all doomed! We’re all doomed!” from “Dad’s Army”. God bless Private Frazer.

**Sandesh Gulhane:** Will the member take an intervention?

**Christine Grahame:** I have only four minutes but, if you are going to say something interesting, I will take your intervention.

**Sandesh Gulhane:** Does Ms Grahame agree that the financial package that the minister just announced clearly does not allow free dentistry for all, although Maree Todd said that it would?

**Christine Grahame:** This is a path that we are taking; we will not get there tomorrow, which is obvious from what the minister said.

Your headline news is very good for the tabloids. “Preventing the collapse of NHS dentistry in Scotland”—what a headline. [*Interruption.*] I will come to that in a minute.

Mr Gulhane made an interesting point. Although, along with other medical professions, dentists received a 3 per cent pay rise last year—in recognition of their efforts during the pandemic and in line with the recommendation of the independent United Kingdom review body on doctors and dentists remuneration—as Mr Gulhane reminded us, their practices are businesses, not services. That is not a criticism of dentists but a fact. They are in contracts with the NHS and there is a conflict—[*Interruption.*]

They are businesses, just as many general practices are. You used the term, Mr Gulhane.

**The Presiding Officer:** Ms Grahame—

**Christine Grahame:** I beg your pardon. The member used the term “businesses” to describe dental practices. That is what I am reflecting on; it is not a criticism. We have a hybrid situation, where the NHS is contracting to provide services through professionals who also have to make profits, take on partners and run businesses. There is the same conflict in GP practices, and we must be frank about that and address it.

The minister addressed the fact that, if we add together everything that she said at the beginning of her speech, £112.5 million of public funding has already gone out to dentists. Finlay Carson talked about his constituency, which is in Dumfries and Galloway. Where the provision of dentists is insufficient, from 7 February, there has been an offer of £25,000 over two years for dentists to go into areas where there is a difficulty with retention, such as Kelso and Berwickshire—not my patch, but in the Borders—and parts of Dumfries and Galloway. That offer is subject to certain criteria around recruitment and retention. I accept that there is a difficulty, but the Government is endeavouring to address that.

In the real world, which I live in, we have fixed budgets. Every time I hear Conservative and Labour members call for funding, I ask myself, “Where is your money tree that neither I nor the Government have in our back gardens?” If, collectively, those parties want such things, they should say where the money is coming from and have it in their budgets.

15:28

**Brian Whittle (South Scotland) (Con):** I am pleased to speak in the debate. I was thinking

back to debates that we have had in the chamber on the topic. There has always been inequality in dental care, as in other healthcare sectors. There are those who never get good access to good oral hygiene and care. I remember being shocked at the number of children who do not even have a toothbrush—let alone an understanding of good oral hygiene—as well as at the number of parents who do not know how to teach their children to brush their teeth and at the steady increase in children who need extractions, especially in the lower Scottish index of multiple deprivation areas. A dentist friend of mine used to give me hundreds of toothbrushes and tubes of toothpaste to hand out to third sector organisations in Ayrshire, such as Yipworld and CentreStage, which had taken it on themselves to help with good oral hygiene for parents and young service users.

The growing health inequality has been significantly exacerbated during Covid. When we discuss health inequalities, we tend not to think of dentistry and access to treatment as much as we should. My dentist friend says that the demand now is like nothing he has ever seen. More and more people are seeking private dentists because they cannot get access to NHS dentists. NHS dentists are struggling to keep up with waiting lists, which are far longer than they have ever been. That is not good for providing swift care that is free at the point of need.

Increasingly, patients are frustrated about waiting times, as my colleague Sandesh Gulhane said, and that frustration is being passed on to dentists. Inevitably, that is driving the health inequality that I mentioned, because there are people who cannot contemplate paying for their dentist.

I listened with interest to the minister’s contribution. Frankly, any dentist who was listening to her cannot help but be worried. If her contribution is representative of the Scottish Government’s understanding of the crisis in our dental surgeries, the Government’s head is buried so far in the sand that all that we can see is the soles of its feet.

I told my dentist friend that I would highlight a couple of issues for him, one of which is the growing tension in waiting rooms. Mask-exempt patients are accusing our dentists of inequality, because they feel that they have the right to use waiting rooms, which can cause difficult encounters. Vulnerable people are struggling because they want dental care but fear the risk of exposure to Covid from sitting in waiting rooms.

My friend said that mask-wearing rules in healthcare settings and waiting rooms should continue regardless of rule changes elsewhere, in order to protect patients who are or feel at risk. Vulnerable and at-risk patients have the right to

access healthcare and to feel safe. I recognise that that goes against the direction of travel that we are going in, but the needs of vulnerable people should be considered as we—hopefully—come out of the other side of the pandemic. There are perhaps situations in which we need to consider whether special cases can be made to ensure equal access to healthcare—which is, after all, a right.

My friend also said that it is harder to keep staff. The use of PPE has worked, and he is not aware of any patient-to-dentist infection. That is great news, but PPE is difficult to wear. A nurse whom he trained for nearly three months has now handed in her notice because she is struggling to wear the gear. There has also been a noticeable increase in headaches, and he suspects that that is because of PPE. He said that the wearing of PPE needs to continue, but we need to acknowledge that dentistry is struggling.

As my colleague Sandesh Gulhane said, the backlog is increasing, and there are concerns in the profession that the current settlement will prevent the sector from being financially viable. The Scottish Government needs to recognise that the pressures on NHS dentistry are driving not only patients but dentists to the private sector. If the Scottish Government truly wants to tackle the significant and growing health inequalities that exist in access to dental treatment, it is crucial that it makes NHS dentistry as viable as possible. The Scottish Government must create a system that encourages careers in NHS dentistry.

15:33

**Carol Mochan (South Scotland) (Lab):** I think that we will leave here today having made it absolutely clear that there is a serious crisis in dentistry, which has been caused by Government indecision and ineffectiveness. All of us in the chamber know and agree that the cost of living is a constant source of concern in our communities. However, also of concern are the anxiety and stress that are caused by the uncertainty about health. For many people, that includes their own and their loved ones' oral health.

Many parents have expressed to me on-going worry about accessing a local NHS dentist for their children. That is simply unacceptable. Covid is a serious contributing factor to the issue that dentistry faces, but we cannot frame everything in that context. Before Covid, there were many concerns about the pressures on dentistry and dental surgeries and about the availability of appointments. The truth is that, if something is not done, the same problems will be around for a lot longer. That is the stark reality that we face.

When I speak to constituents, dentistry is one of the issues about which I hear the most complaints, yet it rarely receives the attention that other forms of healthcare get. Any assessment of the Government's stewardship over more than a decade would be far from positive. Its record on delivering positive healthcare outcomes for the people of this country in dentistry and beyond is poor, and it cannot get away with that any longer. It often seems that we have an implied belief that dentistry truly is a secondary concern and that, if people are particularly concerned, they should go private.

**Stephanie Callaghan (Uddingston and Bellshill) (SNP):** Will the member take an intervention?

**Carol Mochan:** Not at the moment, thank you. The Government does not have the solutions to the significant problems that we face, as we have heard today. That is not good enough. Thousands of people would have to choose between paying for such procedures and simply persevering, often in pain. We have all heard such stories, which are not a thing of the past, as we might have thought.

I am sad to say that I will return to an issue that I raise in the chamber almost every day that I attend—inequality. As the Scottish Labour amendment notes, thousands of Scots

“in the most deprived areas have not seen a dentist in over two years”.

Only 55 per cent of the poorest young people have been able to see a dentist, compared with 73 per cent from wealthier areas. That deficit will increase mortality later in life, and we must address that now. The situation is simply unacceptable. The worst-off in our society are being left open to serious decay, loss of teeth and, in some cases, unidentified mouth cancers. That is not simply cosmetic; that is fundamental.

In essence, we are being left with a two-tier dental system in which those with the ability to pay their way out of problems maintain their oral health, while those with no means to do so are exposed to greater risk. Is that the legacy that the Government wants to leave? Labour will fight against that.

As my colleagues have noted, the SNP Administration is presiding over the near collapse of NHS dentistry—[*Interruption.*] It is the near collapse; more than 3.5 million NHS dental appointments have been lost since the first lockdown. Amid all that, why is the Cabinet Secretary for Health and Social Care announcing that the additional funding that was given to dental practices during the pandemic is to conclude at the end of this financial year? Is this an appropriate time to do that? This is a serious

health crisis, and the Government must change direction.

15:37

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I am pleased to speak in the debate. Believe it or not, I will try my best to make a consensual speech. When we cut out the hyperbole, there is much to agree on. However, let us be honest about the fact that there is a lot of hyperbole.

We all commend those who have worked in dental practices during the pandemic in the most difficult and challenging of circumstances. We all agree that there is a need to work with dentists and dental practices to financially support them as much as possible as we emerge from Covid-19. There is also a need for reforms. As the health secretary has indicated, such reforms were in the SNP's manifesto. The existence of a backlog is clear—no one has denied that. Undoubtedly, there are pressures—again, no one has denied that. There is consensus about that. However, the Conservatives' motion does not acknowledge the Government's significant and meaningful investment to tackle some of the challenges. I will put those on the record.

**Sandesh Gulhane:** Will the member take an intervention?

**Bob Doris:** I have only four minutes, so I am afraid that I cannot.

Only this month, an additional £20 million was announced for fee enhancements. As the Government has also made clear, it has provided £5 million for ventilation improvements, £7.5 million for dental drills, £35 million for PPE and £50 million in wider financial support. There is a 9 per cent increase in funding for the coming financial year. That is simply factual. However, the most important aspect, which is also in the Government's amendment, is that there are on-going discussions between the Government and the British Dental Association. That is the most important thing to say this afternoon, not the hyperbole.

I thank the British Dental Association for the challenging briefing that it provided ahead of the debate. I also welcome the fact that local dentists contacted me to raise their concerns about financial challenges. In turn, I have raised those concerns with the Scottish Government. The chief dental officer has confirmed to me that discussions are continuing with the sector to prioritise and maximise patient care as we move through to recovery. I am confident that the Scottish Government and the British Dental Association will find a constructive and long-term solution.

Some of the concerns that were raised with me were cash related, but there are also wider concerns, not just those that are on the record. The dentists who contacted me wanted more emphasis to be placed on preventative care, which the Scottish Government wants to happen. Indeed, the £2 million for the childsmile programme that the Government mentioned is part of that, as is using oral health risk assessments to prioritise the people who are most in need of seeing a dentist. Work on that is continuing.

In recent years, similar discussions have taken place with Community Pharmacy Scotland about moving away from a model of community pharmacy that funds the prescribing of medicine for people who are unwell to one that funds positive health messages and direct intervention in communities to promote positive health. There is, perhaps, a lesson for dentistry in that model.

The dentists also mentioned concerns about bureaucracy and did not feel that recompense funding for emergency care and clinical administration is adequate.

There are challenges that go beyond the money that is in the system to how it is used. There seems to be a consensus about the inequalities in the system and how we can use the money that is already in it to address them. If the conclusion that the Parliament reaches is that the quantum of cash must be focused away from areas where dental health is positive to areas where it is not so positive, all members in the Parliament must be part of redirecting money from some areas of the country to other communities in order to tackle dental health inequalities. Perhaps we can come together as a Parliament to face that.

I will support the Government's amendment at decision time.

15:41

**Gillian Mackay (Central Scotland) (Green):** At the beginning of the pandemic, dentists had to adapt quickly to new ways of working. They were forced to close during the early months of the pandemic and then drastically reduce the services that they could offer due to the risk of Covid transmission during aerosol-generating procedures. It has been an extremely challenging period for dentistry, and the huge backlog of care that has built up over the past two years means that it will remain challenging for some time. Dentists continue to operate considerably below pre-Covid levels due to infection prevention and control measures, which mean longer waiting times.

As we recover from Covid, it is right that people who are at higher risk be prioritised and that the frequency of dental appointments be based on

clinical need. We need to trust dentists to make those assessments, because they are the experts. However, we currently have a system in which people who can afford to pay can access dental care more quickly. That inequality cannot continue; otherwise, as other members have said, a two-tier system will be established in Scotland.

Dentists have a vital role to play in the prevention and early detection of illnesses such as oral cancer. That is one of the best examples of how preventative healthcare can make a difference to lives, but it is undermined when patients cannot see dentists regularly. Figures that were published last month by Public Health Scotland revealed a sharp fall in the number of patients attending an NHS dentist, as well as a widening gap in attendance between the most and least deprived areas. In Scotland, we have lifetime registration, which the Greens fully support, but we need people to go to the dentist. The pandemic will certainly have discouraged some people who might be less likely to attend; others will have fallen out of the habit of going.

Oral health inequalities existed before the pandemic and the gaps continue to widen. The data show record gaps in participation rates. In 2008, the gap in the participation rates between the most and least deprived areas was only three percentage points, but, by September 2021, it had increased to 18 percentage points. Every effort must be made to re-engage people with services, particularly those who are most at risk of developing tooth decay or other health conditions, such as oral cancer. I am keen to hear from the cabinet secretary what strategies could be used to reach people who have fallen out of contact with dental services.

As I said, dentists have an important role to play in the detection of oral cancer. Since the early 1970s, oral cancer rates have been increasing, and the rate in Scotland is significantly higher than the UK average. According to the BDA Scotland, it remains unclear how the pandemic has impacted on that. Deprivation is a risk factor for oral cancer, which underlines the importance of improving participation rates in deprived areas. Given the difficulties with access to dentistry that have been caused by the pandemic, it is more important than ever that everyone is aware of the symptoms of oral cancer. Those include red or white patches on the lining of your mouth or tongue, ulcers that do not heal, or a lump in your neck. A person's risk is also increased if they are a heavy smoker or drinker. I encourage anyone who has concerning symptoms to seek medical advice.

I will conclude with a few words on the future of dental charges. The Scottish Greens believe that dentistry, like other parts of the NHS, should be free at the point of need.

**Finlay Carson:** Will the member take an intervention?

**Gillian Mackay:** I am sorry, but I am in my last minute. I need to conclude.

Access to healthcare should never be dependent on someone's ability to pay. We fully support the Government's intention to remove all dental charges to patients by the end of this session of Parliament. However, for patients to feel the full benefit, issues with access must be addressed and the backlog of care must be worked through. That will be no small undertaking, and the dental profession must be supported.

The BDA Scotland has expressed concern about a lack of communication regarding the decision to extend free NHS dental care to 18 to 25-year-olds. I would be grateful to hear from the cabinet secretary about the Government's plans to engage with the dental profession while we move towards the removal of dental charges entirely.

**The Presiding Officer:** I call Evelyn Tweed, who will be the final speaker in the open debate.

15:46

**Evelyn Tweed (Stirling) (SNP):** Thank you, Presiding Officer. I am sorry that I cannot be in the chamber today for this important debate.

I begin by thanking Dr Gulhane for giving us the opportunity to compare and contrast dentistry services in Scotland with those in England and to compare the attitude of the SNP with that of the Conservative Party. Let us not forget the impact of the pandemic on dental services, which is not unique to Scotland. I thank dentists and their staff for their service during these difficult times.

Last year, Healthwatch England found that some people are expected to wait until 2024 for dental appointments while others are being removed from practice lists. Healthwatch also found that many people are being pressurised into going private. The situation is so bad that Tory MP Bob Seely, speaking in the House of Commons, called on the UK Government

"to get dentists into this country"—

that is, England—

"in the next year or two to help with the immediate crisis".—  
[*Official Report, House of Commons, 7 February 2022; Vol 708, c 779.*]

In November, *The Mirror* reported that a dozen Tory MPs, including health secretary Sajid Javid, benefit from links to private health firms. Therefore, despite Dr Gulhane stating his support for the NHS, his party at its heart supports private healthcare. That is the core of the issue. If the 2019 prediction of political Nostradamus Jackson Carlaw had come true and Baroness Davidson of

Lundin Links had become First Minister, the Tories would probably be in the process of privatising parts of Scotland's NHS and its dentists.

However, the Scottish Government is totally committed to dentistry and an NHS that is free at the point of delivery, as Maree Todd has strongly emphasised today. Since the SNP came into office, the number of people registered with an NHS dentist has doubled to around 5 million. That can be attributed to record investment in dentistry that has provided a 39 per cent increase in the number of high-street dentists in Scotland since 2007. There are nearly 56 NHS dentists per 100,000 of the population in Scotland, compared to only 40 per 100,000 in England.

Following the May 2021 election, the SNP's commitment to deliver, in its first 100 days, free NHS dental care for all those under 26 has been met, and we are working hard to deliver free dental care for all by the end of this session of Parliament. We should remember that undergraduate medical and dental students in Scotland study free of charge, unlike in England, where tuition fees, which were introduced by Labour, have increased to an eye-watering £9,250 per year.

Health spending in Scotland has increased by 70 per cent since the SNP came to power in 2007, and we have abolished prescription fees, which are now £9.35 per item south of the border. As Maree Todd's amendment highlights, the Scottish Government is providing further funding of £20 million for dentistry from February and is increasing the budget for dental services in 2022-23 by 9 per cent to a record amount.

**The Presiding Officer:** Ms Tweed, I ask you to pause for a moment, please. There is quite a lot of conversation across the chamber. I would be pleased if we could hear Ms Tweed. Please continue, Ms Tweed.

**Evelyn Tweed:** Thank you, Presiding Officer.

Given that the UK Government is failing to deal with a massive crisis in England, perhaps today's Tory motion should be thanking the Scottish Government for the steps that it has taken to support dentistry in Scotland, despite the fact that it lacks the full fiscal powers of an independent nation.

I am confident that the Scottish Government is best placed to make the correct decisions that are necessary to continue to improve all NHS services in Scotland. It does not need to take lessons from a party that, at its core, does not support the NHS.

I will support the Government's amendment. The NHS is safe in our hands.

15:50

**Paul O'Kane (West Scotland) (Lab):** I thank Dr Gulhane for bringing these important issues to the chamber for debate. What we have heard about the state of dentistry is deeply concerning. Jackie Baillie highlighted those concerns starkly in her opening speech.

As we have heard, more than 3.5 million NHS appointments in Scotland were lost during the first lockdown alone and 239,000 fewer children and young people are accessing dental care than was the case two years ago. In my West Scotland region, there have been reports that some people have not been able to see their dentist for 30 months. Alex Cole-Hamilton and other members across the chamber referred to that.

A more fundamental point is that, as my colleague Carol Mochan illustrated, the decline in access to dentistry is deeply unequal. Finlay Carson echoed that when he talked about particularly acute inequalities in rural communities.

Although the Scottish Government sings the praises of its recent changes to access, the implementation of free dental care does not count for much when it is nearly impossible to access appointments in the first place. It is clear that the current model is not sustainable.

If the Government proceeds on its current trajectory, the situation will only get worse. NHS dentists started sounding the alarm long ago. We have been heading towards a two-tier system of dental care in Scotland and the BDA believes that the Government's funding model will be the final blow to a sector that is already struggling so much. Morale in the profession is at an all-time low, with more than a third of dentists stating that they will leave the profession altogether in the next 12 months, should the minister's current funding model go ahead.

Without an immediate and comprehensive support plan being put in place, the Government risks the collapse of NHS dentistry in Scotland becoming its legacy. It is on that basis that we implore the Government to listen to the professionals and to rethink the current position and the wider implications for people across Scotland.

The minister must surely know by now that these issues have persisted for years and that Covid cannot be the explanation for them all. When we have more and more people turning to, and accessing, private dental care, we know that NHS dentistry is not collapsing due to the level of aerosol-generating procedures; rather, a fundamental overhaul of services is needed to stop privatisation through the back door. To cite only Covid undermines the hard work that NHS

dentists have put in to mitigate years of problems and underfunding.

I support and welcome the Scottish Government's commitment to further expand the childsmile scheme. We are proud that the actions that were taken by the previous Scottish Labour Government will continue to benefit all Scots.

Scottish Labour's amendment acknowledges the concerns raised by colleagues across the chamber. Those are the concerns of our constituents and of professionals in the dental sector. Acknowledging the scale of the inequality that now exists is one step that needs to be taken before the Government can even begin to think about tackling it.

It is clear that we need a sense of urgency from the Government to make access to dentistry truly equal to all people, not just those who can afford to go private or those who live in urban communities. Scottish Labour knows that, in order to fix the system in Scotland, a comprehensive overhaul is required. However, we know that, for some reason, the Government seems unwilling to right the issues in NHS dentistry, or is incapable of doing so. We have seen those issues laid bare throughout the debate.

It is clear that the people of Scotland deserve much better than what is being offered and so do our dentists. I support the amendment in Jackie Baillie's name.

15:54

**The Cabinet Secretary for Health and Social Care (Humza Yousaf):** I start by thanking our hard-working dentists and all the others who are involved in the dental sector. In the debate, a lot of attention has rightly been paid to dentists, but my thanks also go to dental nurses, dental technicians, receptionists and all those who are involved in the dental sector. I thank every single one of them, and I am not just saying that because four of my cousins are dentists.

Any suggestion that we have not provided financial support for dentistry during the pandemic is incorrect. A number of contributions from the Opposition have suggested that we have not provided—[*Interruption.*]. I am not talking about you, Ms Baillie, do not worry; but others have suggested that we have not provided substantial money, and I disagree. There will be £20 million of additional money from this month—

**Sandesh Gulhane:** Will the cabinet secretary take an intervention?

**Humza Yousaf:** I will in a second. We have provided £50 million of financial support for dental practices, £35 million for additional PPE, £7.5 million for dentists' drills, which will help with those

aerosol-generating procedures, and £5 million for ventilation.

**Jackie Baillie:** Will the cabinet secretary take an intervention?

**Humza Yousaf:** I promised to give way to Dr Gulhane first.

**Sandesh Gulhane:** The £20 million that was announced in February was not discussed with the BDA and the Scottish Government has not explained its methodology for calculating that sum. There was no consultation and no transparency. Would the cabinet secretary show his workings, please?

**Humza Yousaf:** I completely disagree with the suggestion that the BDA does not welcome additional funding for the sector—of course it does.

Dr Gulhane—and this goes to the root of his motion—called the emergency payments “flawed”. I disagree with that characterisation, but he asks us to continue making them for the next financial year, at a time when his party often tells us that the pandemic is over. That is, again, an assertion that I tend to disagree with.

The funding that we are going to announce—we are still in discussions with the BDA—will be to link financial reward with activity, so that more patients can be seen.

**Jackie Baillie:** Will the cabinet secretary take an intervention?

**Humza Yousaf:** I do not have much time, but of course I will give way.

**Jackie Baillie:** I genuinely think, with the greatest respect, that the cabinet secretary is arguing about the wrong thing. The issue is the outdated funding model and I desperately encourage the cabinet secretary to reform it. It is not about volume; it is about prevention.

**Humza Yousaf:** I will come to that. I do not necessarily wholly disagree with Ms Baillie, she will be pleased to hear. I am not suggesting that there is no room or place for reform. I have never said that, and in fact in my discussions with the BDA, I have often said that I understand the desire for reform.

I am saying that when we have the level of backlog that we have, which has undoubtedly been exacerbated by the past two years and the impact that infection prevention controls have had on dentistry, the immediate priority has to be to work through that backlog. Let us talk about root-and-branch reform of the sector, but we cannot have a protracted discussion about reform while in the meantime patients are still waiting to be seen.

**Finlay Carson:** Will the cabinet secretary give way?

**Humza Yousaf:** No, I will not, because I have only two minutes left.

I take issue with suggestions, which I think are sensationalist, that NHS dentistry is on the brink of collapse and that somehow there was no progress being made pre-Covid. That is absolutely unfair and the statistics do not bear that out. Pre-pandemic, the proportion of primary 7 pupils with no decay increased from 64 per cent in 2009 to 80 per cent—under this Government. For P1 pupils, it went from 58 per cent in 2009 to 74 per cent in 2020.

**Brian Whittle:** Will the cabinet secretary take an intervention?

**Humza Yousaf:** No, I will not take an intervention.

Some 5.2 million people registered with an NHS dentist in 2019, compared with 2.6 million in 2007, when Labour was last in power. Our record on dentistry and supporting dentists stands on its own. I think that anybody who is fair minded will see that there has been progress and improvement in the oral health of the country. Where there has not been improvement and there is still a need for progress, our model of linking financial reward to activity is absolutely the right way to go.

We recognise that uncertainty presently exists among NHS dental teams; that is a fair comment for the Opposition to make. However, that is why they are not getting a cliff edge. We are ensuring a soft transition as the sector fully recovers. In the meantime, I go back to the point that, before 1 April, in the next month, we will be able to announce a package that I hope will incentivise dentists and dental practices to see more patients.

I will conclude on this point. A number of members mentioned upselling. I am as dismayed as any other member by the practice of upselling private plans to the public. I raised the issue with the General Dental Council and I say to any member of a dental practice who might be watching that if they hear about cases of dentists upselling private plans, they should report it to their NHS board. That is not allowed under NHS regulations.

I will conclude—

**The Presiding Officer:** I must ask you to.

**Humza Yousaf:** —by saying that the Government is proud of its record in improving the oral health of this country. As we get out of the pandemic, we will support that sector and I look forward to supporting the amendment in Maree Todd's name.

16:00

**Sue Webber (Lothian) (Con):** We have heard that, under the SNP, NHS dentistry is in crisis. Covid support is set to be withdrawn in two months' time, while even before the pandemic the SNP was letting down NHS patients with its conveyor belt approach to dentistry.

Morale in the profession is at an all-time low, with more than a third of dentists saying that they intend to leave the profession in the next 12 months. One of my constituents in Edinburgh spoke to their dentist yesterday, who said that dentists feel as though they were abandoned during the pandemic. Dentists who are tuning in to the debate this afternoon have messaged me to say that they are quite concerned about and rightly furious with some of the Government's comments.

Failure to act risks sparking an exodus from the workforce that will mean families across Scotland losing access to NHS dentistry for good. We, the Scottish Conservatives, acknowledge the concerns expressed by many in the profession and call upon the Scottish Government to come forward with a plan for ensuring the long-term sustainability of NHS dentistry. As Jackie Baillie rightly stated, the complacency that the Scottish Government has shown today should alarm us all.

More than 3.5 million NHS dental appointments were lost in Scotland because of the pandemic, and that unprecedented backlog continues to grow. It will take years to clear. Despite their best efforts to restore patient care, dental practices continue to operate considerably below pre-Covid levels. Attendance rates plummeted during the pandemic due to restrictions imposed on dental practices.

Just over half of registered patients have seen an NHS dentist in the past two years, which equates to more than 850,000 fewer patients being seen by NHS dentists compared to pre-pandemic levels. Dental inequalities are widening and the participation gap between the least and most deprived communities has widened dramatically.

**Maree Todd:** We all acknowledge that we face a challenge in recovering the dental sector in the entirety of the UK, and ensuring that capacity increases so that more patients are seen. Does the member agree with the Tory approach in England of penalising NHS dentists, or does the member agree with our approach of providing additional funding? Would she please clarify?

**Sue Webber:** Like the minister, I have been elected to the Scottish Parliament and I will talk about Scottish issues.

As Gillian Mackay said earlier, how can dentists assess their patients' clinical need if their patients cannot get an appointment to see them?

Brian Whittle highlighted the awful health inequalities faced by young people. There has been a sharp increase in the number of children having full extractions, and it should shock every one of us in the chamber to hear that some children in Scotland today do not even own a toothbrush. Child dental health is going backwards.

The SNP Government must do more to facilitate routine NHS dental care. As my colleague Dr Sandesh Gulhane said, the Scottish Government emergency funding package for NHS dentistry that was introduced at the start of the pandemic was not fit for purpose, but it was better than nothing. However, from 1 April, the SNP Government will cut that emergency funding while leaving all the infection control measures in place.

**Bob Doris:** Will the member give way?

**Sue Webber:** No, not at this stage, Mr Doris.

Dentists are usually paid based on each individual item of treatment that they provide but, during the pandemic, that funding mechanism has been superseded by top-up financial support that recognises that the additional infection control measures severely reduce the number of patients who can be seen. The SNP Government is not planning to reduce or remove those measures, even though it is withdrawing financial support.

We believe that the emergency Covid support cannot be withdrawn while strict infection control guidance remains in place. Top-up funding must be maintained for the upcoming financial year, while the Government decides on its long-term plan for the future. The British Dental Association has warned that the Government's plan to end Covid support payments from April will devastate dental services across the country.

My colleague Finlay Carson highlighted the stark inequalities that are faced by families across rural Scotland and rightly reinforced the negative impact that the removal of funding on 1 April will have. That move means that the income of NHS dentists will be decimated, and many have stressed that it will make their position financially unviable.

Let us not forget that NHS dentistry in Scotland was in crisis before Covid hit. For too long now, people have gone without access to full NHS dental services. To tackle the unprecedented challenge, dental practices need support from the Scottish Government. We are calling on the SNP Government to work with dentists to prevent the collapse of NHS dentistry. It does not matter that treatment or enhanced examinations are free at

the point of need, if people cannot get an appointment.

The cabinet secretary must get a grip of the situation and bring forward a credible plan to restore routine dental care and tackle the enormous backlog. The SNP will always put its independence obsession ahead of the national interest. The Scottish Conservatives—Scotland's real alternative—are pushing for the full return of routine services and putting the people of Scotland first.

## Workplace Parking Licensing Schemes

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is a debate on motion S6M-03279, in the name of Graham Simpson, on a workplace parking tax. I ask members who wish to participate to press their request-to-speak button or to put an R in the chat function now, or as soon as possible.

16:08

**Graham Simpson (Central Scotland) (Con):** Yesterday, I moved in committee a motion to annul an instrument that brought in provisions in the Transport (Scotland) Act 2019 to allow councils to introduce the hated workplace parking tax. Not surprisingly, thanks to the SNP and the Greens, my motion was defeated. The motion gave the Minister for Transport the chance to do the right thing—to step back from the precipice—but she did not take it.

The SNP and its coalition of chaos partners have chosen to ignore business, they have chosen to ignore the entire public sector, and they have chosen to ignore shift workers and people who are low paid. If they want to get people out of their cars, they could have used the 2019 act to introduce provisions on public transport partnerships, but they have not done that.

It has surely not passed anyone by that we have been through a tough time in the past two years. It cannot have escaped anyone's notice that work patterns have changed, and even the most anti-business person would accept that our town and city centres have been particularly hard hit.

Liz Cameron, who is the chief executive of Scottish Chambers of Commerce, said that businesses are "incredulous". They are. I have been contacted by a number of businesses, all of which are too nervous to go public. What a sorry state of affairs. Unlike the minister, I have spoken to the business sector, including in the east midlands, where people are worried about what is to come in Leicester—the home of Walkers Crisps, which has a big car park. This could be Leicester's crisp tax.

It is not as though companies that have parking spaces for staff and visitors are not already paying for them: the Scottish Retail Consortium has made the point that they pay through business rates.

The tax is a double whammy on commuting. The workplace parking tax is simply a money-raising tool for councils, which—let's face it—need everything they can get. In order to bring in the levy, a council needs merely to have a local transport strategy. The car park tax must go

towards helping with that strategy, which means that it does not need to be about reducing motor vehicle travel—it can be used for anything. The money will go into a general pot.

It is no wonder that SNP councils that have been denied funds by their own Government are gearing up to bring in the tax. Anti-car City of Edinburgh Council and Glasgow City Council cannot wait, although Susan Aitken, who has one eye on the council elections, is trying temporarily to distance herself from it. In the unfortunate event that Ms Aitken remains as Glasgow council leader after May, we can expect her to get back on track. Her official, connectivity officer Deborah Paton, excitedly told councillors that a levy could raise as much as £30 million, but that was before Jenny Gilruth confirmed that there would be no limit on what councils can charge.

**John Mason (Glasgow Shettleston) (SNP):** Does Graham Simpson accept that there is an air pollution problem in Glasgow and, potentially, in Edinburgh, that there is congestion on the roads and that we need to tackle those things?

**Graham Simpson:** The way to tackle those things is by improving public transport, which I will come to.

Ms Gilruth says that the Government can call in schemes, but when she was given the opportunity yesterday, she refused to say what she thought an acceptable cap might be, and instead said that that is up to councils. Is £300, £500 or £1,000 a year okay? I will allow the minister to intervene if she wants to respond.

**The Minister for Transport (Jenny Gilruth):** I thank Mr Simpson for the opportunity, but I answered his question yesterday. The power is a local power for local authorities to decide on. I thought that the Conservatives believed in localism. Why do they want me to take that power away from councils?

**Graham Simpson:** Once again, the minister refuses to say what she thinks would be an acceptable limit.

It is not clear what the workplace parking tax is meant to achieve. If it is meant to persuade people to use public transport, public transport first needs to improve. We know that the SNP is no good when it comes to running things. When it runs the ferries, islanders are left stranded. Now it wants to run the trains, but cannot tell us what it wants to do with them, apart from cut services and increase fares. From nat sail to nat rail, it all adds up to a big nat fail.

That is what happens when you give the Greens influence or—even worse—bring them into Government. A party that wants to take us back to the stone age has two Government ministers. It is

like having the Flintstones around the Cabinet table, with Patrick Harvie and Lorna Slater as Fred and Wilma.

The tax will hit workers. We have seen that in Nottingham, where more than half of affected employers pass on the cost to their staff. However, when we tried to exempt groups including the police, the fire brigade, ambulance staff, teachers, shift workers and people who live or work nowhere near public transport, the SNP and the Greens blocked that. Yesterday, Ms Gilruth refused to do anything about those sectors, and confirmed to Liam Kerr that the Government has done no modelling on what effect the hated workplace parking tax might have. It is her rather strange view that we do modelling only once something is already in place.

**Jenny Gilruth:** Would Mr Simpson give way on that point?

**Graham Simpson:** I have already given way. The minister can explain that in her speech.

The SNP and the Greens say that they want to get people out of their cars. The way to do that is not by hammering hard-working Scots who are just trying to get on with life. A viable alternative needs to be offered. If we want people to stop driving petrol and diesel cars, the electric vehicle charging network needs to be up to scratch, but it is not. If we want people to use public transport, it has to be there in the first place and it needs to be cheap to use, reliable and frequent, but it is not. The job of Government is to help people, not to hinder them. The coalition of chaos does not get that, but we do.

I move,

That the Parliament condemns taxing drivers through the introduction of the Workplace Parking Levy, and believes that the focus of the Scottish Government should be on supporting the roll-out of electric vehicles and the infrastructure to support them and on making public transport more efficient and affordable, not on using taxes to force families in Scotland into giving up their cars.

**The Deputy Presiding Officer:** I call the minister to speak to and move amendment S6M-03279.2.

16:14

**The Minister for Transport (Jenny Gilruth):** I welcome the opportunity to debate the merits of having provided discretionary powers to local authorities to implement workplace parking licensing schemes, and to say how they can support our climate change goals. It is worth saying that although the technical regulations were agreed at committee yesterday, the primary legislation was passed in Parliament more than two years ago, as part of the Transport (Scotland) Act 2019.

Workplace parking licensing schemes have the potential to encourage use of more sustainable transport while raising revenue that will be used to improve public and sustainable transport. We know that the largest share of transport emissions comes from cars, which account for 39 per cent of Scotland's transport emissions. All parties in Parliament supported the ambitious and legally binding emissions reduction targets in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. Now is the time to show that support through action.

I agree that the roll-out of electric vehicle infrastructure and improvements to public transport play important roles in our work on decarbonising transport, as the Conservative motion mentions.

**Liam Kerr (North East Scotland) (Con):** If the levy is about reducing emissions from cars, why are electric vehicles and hydrogen vehicles not exempt categories in the legislation?

**Jenny Gilruth:** Mr Kerr seems to think that we should look at electric vehicles and public transport in isolation. We need to look at emissions in the round. We are taking a hugely important step, and the provision is about empowering local authorities to do the work.

As I mentioned before Mr Kerr interrupted, I agree that roll-out of electric vehicle charging infrastructure has a role to play. On 26 January, we announced a new draft vision for the public charging network, along with plans for a £60 million fund that will double the size of the public network over the next few years by leveraging in commercial investment.

Measures to make public transport more efficient and affordable are also a priority. Mr Simpson made mention of that in his opening remarks and it was highlighted in our route map to reducing car use, which was published last month. The measures include provision of free bus travel for under-22s and our fair fares review, which is hugely important and will consider options for change against the background of the costs of car travel declining and public transport costs increasing.

We are also investing record amounts in active travel. However, we need to get folk out of their cars. This is about behaviour change.

**Miles Briggs (Lothian) (Con):** Will the minister take an intervention?

**Jenny Gilruth:** I would like to make some progress.

Disincentivisation measures, such as WPL schemes, are needed if we are to reach the targets. The regulations allow local authorities to deploy the powers in the face of the climate

emergency. Neglecting the powers risks our climate change commitments, which members appear to be willing to sign up to but not to follow through on with action.

Giving local authorities powers to implement workplace parking licensing schemes is consistent with the situation for councils in England and Wales, which already have workplace parking licensing powers. The Conservative Government at Westminster has been content to retain the power for councils in England.

The implementation of the workplace parking scheme in Nottingham has demonstrated the potential benefits that are offered by such schemes. We know that public transport use in Nottingham is among the highest in the country, and there has been a reduction of 40 million car miles over the past 15 years. The revenue from the scheme there has supported the expansion of Nottingham's successful tram system and the redevelopment and capacity enhancement of its train station, along with investment in bus services.

Nottingham City Council's success is leading other councils to follow suit, with both Oxford City Council and Leicester City Council aiming to introduce workplace parking schemes by 2023.

**Liam Kerr:** On that note—

**Jenny Gilruth:** Although I have already taken an intervention from Mr Kerr, I will take another on that point.

**Liam Kerr:** Is the minister not aware that Nottingham invested in its public transport before it brought in the levy?

**Jenny Gilruth:** Mr Kerr seems to be suggesting that we are not already investing in public transport in Scotland. We are investing in our rail and bus infrastructure; we cannot do just one thing in isolation.

Local Labour leaders here in Scotland remain supportive of the scheme. On 10 February, the deputy leader of the City of Edinburgh Council, Cammy Day said:

"I remain supportive of the"

scheme

"as agreed in our Manifesto."

Giving the power to Scottish local authorities supports our aim to give local hands more say over local resources. That is something that the Conservatives profess to be in favour of and which has been welcomed by the Convention of Scottish Local Authorities and local leaders.

**Miles Briggs:** Will the minister take an intervention?

**Jenny Gilruth:** I would like to make some progress, please.

As Councillor Steven Heddle, who is COSLA's environment and economy spokesperson, noted when the legislation was passed:

"I feel it should be remembered that the"

scheme

"has been conceived as a devolved policy for councils ... it seems premature to ... expect local authorities to have all the answers at this stage of the debate.

This would defeat the purpose and essence itself of the levy as a flexible scheme to the discretion of the council and it fundamentally questions our councils' ability to develop effective schemes that are appropriate".

We have to trust our councils to get it right for their local areas. It is also worth repeating that the powers were provided by Parliament on the basis that local authorities can design schemes that reflect their local circumstances. It is not for me or for the Government to do that; rather, it is important that we trust our local authority partners to get it right for their local areas.

**Douglas Lumsden (North East Scotland) (Con):** Will the minister take an intervention on that point?

**Jenny Gilruth:** I am in my last minute.

Local authorities must consult locally those who are likely to be impacted by local schemes, and they should undertake impact assessments. Reducing car travel will help to improve air quality and safety; we know that those issues have disproportionate impacts on the less-well-off people in our society.

Ahead of the debate, Transform Scotland noted:

"A factor that has contributed to the increase in car use over the past decade, while bus use has fallen, is the relative cost of driving.

This has effectively made driving cheaper over time while bus use has become significantly more expensive.

This trend has affected the poorest in Scotland most adversely".

We know that 60 per cent of people who are on the lowest incomes have no access to a car. Among people with long-term health problems or disabilities, the figure is 46 per cent.

The workplace parking levy is old news. The primary legislation, which can only be undone by new primary legislation, has been on the statute book for more than two years. I have heard no proposals today to reintroduce new primary legislation to undo that. There is no vision from the Conservatives and no new ideas—just opposition for opposition's sake. Surely the people of Scotland deserve better than that.

I move amendment S6M-03279.2, to leave out from “condemns” to end and insert:

“notes that the Transport (Scotland) Act 2019 gives local authorities the discretionary power to implement a workplace parking licensing scheme within the context of their local transport strategy and, if a scheme is proposed, requires local authorities to undertake consultation and impact assessments on their local proposals; welcomes that COSLA and local leaders of political parties positively greeted these new powers being provided to local authorities at the time of the Act in 2019; acknowledges that local authorities in England and Wales have had these powers for over a decade, with Nottingham City Council so far making use of them, and other authorities, including Oxford and Leicester, now also considering their use, and recognises that, as well as supporting a reduction in congestion and meeting climate change goals, workplace parking schemes will raise revenue to invest in local transport priorities, including public transport and active travel, and align with other recent Scottish Government initiatives such as free bus travel for under-22s, record investment in active travel, investment in electric vehicle infrastructure and the target to reduce car kilometres by 20% by 2030.”

16:21

**Neil Bibby (West Scotland) (Lab):** I welcome this debate led by Graham Simpson. Let us be clear: despite what the minister said, too many people across Scotland simply cannot rely on our public transport system to get to work—and that is truer today than it was when the Transport (Scotland) Act 2019 was passed. There has been a huge contraction in the bus network and in rail services since the pandemic, and services are not returning to pre-pandemic levels. Just two weeks ago, the Scottish Government made it clear that it does not support returning ScotRail services to pre-pandemic levels—at least not now, and not any time soon.

People who take the car to work because there is no affordable or convenient alternative should not be penalised for the failures of this Government—the Government that is responsible for the failed deal with Abellio and that took us into the pandemic with bus passenger numbers at a record low.

A commuter tax on getting to work is not the solution—not for the economy, not for the climate and not for workers, and certainly not when people are facing a cost of living crisis. The SNP and Greens rightly criticise the Conservatives’ cuts to universal credit by £20 per week, but they are now enabling proposals to hit low-income workers with a tax that could be up to £20 per week.

The solution is to transform public transport and invest in real, viable alternatives to car dependency, with alternatives such as integrated multimodal ticketing, which was promised 10 years ago, or a publicly controlled bus network for Strathclyde, with its population of 2.1 million. City regions across England are planning to take

control of bus networks. If we want to make bus travel more affordable, why are we not doing that here in Scotland, in cities such as Glasgow? It is telling that the Government is proposing to grant powers for this tax before rolling out the bus regulation powers contained in the 2019 act.

Our society faces two great challenges: a cost of living crisis and a climate crisis. We do not deal with the cost of living crisis by taxing commuters getting to work; we deal with it by transforming public transport.

Let me be clear: Scottish Labour opposes the workplace parking levy. We opposed it in 2019, and we oppose it now. We are demanding that this tax on working people stops before it starts. With living costs rising faster than at any time in the past 30 years, we are demanding that the Scottish Government act now. It is wrong for ministers, who have the privilege of a chauffeur-driven car to get to work, to impose this commuter tax now. It is wrong for MSPs, who claim mileage and enjoy free parking, to impose this tax now. Politicians here do not experience transport poverty. The Green and nationalist MSPs behind this tax are not on low incomes. There are people experiencing transport poverty in Scotland now, however, and they could be hit if and when their employer passes this levy on to them. I say to those politicians: do not punish the working people of this country, who have kept Scotland going throughout the pandemic, for your failure to provide a decent public transport system.

We know that there has been no modelling of the impact of the levy, and there is no consistency on exemptions, so we face the possibility that healthcare workers will be exempt, but a low-paid cleaner working late for a private employer will not be.

There has been no engagement at ministerial level with the trade unions since the 2019 act was passed. For all those reasons, the levy should be stopped.

We know that the concentration of workplaces in city centres drives commuting patterns that place a strain on our cities, and we understand city councillors’ concerns about congestion and air quality, especially in Edinburgh and Glasgow. We believe that the Scottish Government should work constructively with Scotland’s cities to address those issues comprehensively.

Nonetheless, action on air quality and congestion must not be limited to a single ineffective unfair tax. The Conservative motion rightly identifies the need to promote electric vehicles, but the Scottish Government and councils have to ensure that charging infrastructure is easy to use, convenient and resilient. The Government can do more. It can, for

example, provide new park-and-ride facilities, restore suburban rail services and embed better access to public transport in planning guidance, and I have written to the minister to ask her to consider those points.

Scottish Labour is prepared to work constructively with the Government to reduce pollution and congestion in our cities. We say to the Government that there are alternatives and better ways to reduce car dependency, and we will work together to find solutions. However, the imposition of a new tax on working people who are in the grip of a cost of living crisis solves nothing. I appeal to members to support the Labour amendment today and demand better for Scotland's commuters.

I move amendment S6M-03279.1, to leave out from “, not on using taxes” to end and insert:

“; believes that the Workplace Parking Levy will unfairly penalise working people who have no option but to drive to work due to the chronic failure of the Scottish Government to improve public transport; regrets the Scottish Government's decision to reject calls for a freeze on rail fares this year; considers that the Scottish Government's decision to pursue policies that increase costs faced by workers during a cost of living crisis is irresponsible; notes objections to the Workplace Parking Levy from trade unions and the business community, and considers that the Scottish Government should make positive interventions to tackle transport emissions, reduce car dependency and drive modal shift by making public transport more affordable, safe and accessible, restoring ScotRail services to pre-pandemic levels, supporting municipal ownership and control of local bus services, developing safe cycling routes, and rolling out integrated ticketing across the public transport network.”

16:26

**Beatrice Wishart (Shetland Islands) (LD):** I thank Graham Simpson for bringing the debate to the chamber. Scottish Liberal Democrats cannot support the SNP-Green plans to introduce the workplace parking levy. Since the plans were initially suggested, we have believed that they are ill-conceived and that they raise more questions than the Scottish Government has been able to answer. We can now add to that the cost of living crisis and all the challenges to business and household budgets as a result of the pandemic.

Our concerns include concerns about workers in rural, remote and island areas; the blocking up of our urban roads; adding pressure to the squeezed budgets of workers and businesses; and concerns about workers with unusual or night-time shift patterns. I will take each in turn, and outline the Scottish Liberal Democrat plans to reduce emissions and tackle the climate emergency.

For those of us who live in rural, remote and island areas, it feels as though very little consideration has been given to the impact on

workers. We cannot all hop on a tram or train as an alternative to our car.

**John Mason:** Does the member accept that it will be entirely up to each council—Orkney, Shetland and the Western Isles—to decide whether it wants such a scheme?

**Beatrice Wishart:** More areas than just the islands are affected; I referred to remote and rural areas, too.

Does the Government believe that a teacher—a front-line worker who kept us going during the pandemic—should cough up for parking because they arrive early at school and public transport alternatives are irregular or non-existent?

Thank goodness that NHS sites are in line to be exempt from the levy—[*Interruption.*]

**The Deputy Presiding Officer:** Excuse me, Ms Wishart. Could we have a little less chatter at the back of the chamber, please?

**Beatrice Wishart:** Those who live in urban areas might not escape some of the consequences of the levy either. Residents may now see their streets blocked up by displaced vehicles, which will, for those without driveways, potentially add to the daily battle of finding a space outside their home. All that comes after efforts to make our streets pedestrian friendly and promote a spaces-for-people approach.

For those who are on restricted incomes, the levy could be extremely tough. A disproportionate burden will be placed on people on low incomes and restricted budgets. Over the past two years, we have relied on many of those people. The idea has been floated that businesses could cover the cost of parking levies, but businesses have also had it hard throughout the pandemic, and another financial burden may push some of them from operating to close their doors permanently. What of those who work irregular hours? The levy could leave night-shift workers to pay up, while a day-shift worker can catch a bus. It is tricky for employers to staff irregular working patterns and late shifts, and the workplace parking levy could make those shift patterns harder to fill, which would be another blow to businesses.

We cannot do nothing when it comes to tackling emissions and the climate emergency, but on the levy, we need more answers from the Scottish Government. Scottish Liberal Democrats have sensible and workable suggestions to reach our climate goals. Instead of giving local councils the power to drain our workforce of their income and businesses of cash, we would empower local communities, giving them control over bus routes and timetables, ending deregulation and giving people a better local service that suits passengers. With communities in charge, bus services will go

where people need them to go, not where bus companies can make the most profit.

The number of bus journeys taken since the SNP came to power has plummeted; a radical shake-up of Scotland's transport network is required to reverse that. For young people, we need to extend the under-22 bus concession to internal ferries, which islanders use in the same way as buses, and introduce a similar rail card model as that which operates in London and the south-east, allowing everyone to apply for a third off rail cards, with those currently entitled to it receiving 50 per cent off, encouraging greater use of railways, including at the weekend. Where there are cars, let us make sure that they are as sustainable as possible; we would ensure that all new public service vehicles are phased to become electric vehicles, and a corresponding EV charging network is of course needed.

**The Deputy Presiding Officer:** We now move to the open debate. Time is tight so I would be grateful if speakers could stick to their allotted time.

16:30

**Miles Briggs (Lothian) (Con):** I will use the time that I have to outline the impact of the car park tax on my constituents here in Edinburgh and the wider Lothian region. Motorists in Edinburgh are set to become the highest taxed in any part of Scotland and indeed the United Kingdom, with the SNP and Green councillors on the City of Edinburgh Council planning to introduce not only the car park tax but a huge roll-out of parking zone permits across the capital. The majority of motorists in the capital will very soon be facing the burden of having to pay to park outside their homes and at their workplaces.

The City of Edinburgh Council stated that there are around 32,500 eligible parking spaces across the capital. The council estimates that it expects £14 million in revenue to be raised by the car park tax, based on the £428 per space that Nottingham currently charges.

Having no upper limit on the tax risks the City of Edinburgh Council charging individuals and businesses higher and higher charges to increase the revenue stream—all that at the very time that SNP and Green ministers are cutting local council budgets, leaving councils with little option but to use the car park tax to fill that financial void. It is little wonder that the City of Edinburgh Council—one of the lowest funded councils in Scotland by the SNP-Green Scottish Government—has been forced to look at implementing the car park tax to fill the financial black holes that it faces.

We all know that the cost of living is going up for people across Scotland, making it harder for

hundreds of thousands of people across the country to break even every month. Food prices have been on the rise and pressures on energy costs are seeing bills increase.

However, the car park tax and parking zone permit charges that motorists in the capital will face will see families facing on average an additional £630 put on to their budgets after May's council elections if the SNP and Green councillors are returned in Edinburgh.

People outside the capital travelling to work in Edinburgh from the growing communities in West Lothian, East Lothian and Midlothian, the Borders and Fife, will have to pay the City of Edinburgh Council that charge, which will be of little or no benefit to the local authorities where they live.

As I have outlined, Edinburgh motorists are facing the double whammy of new parking zone costs and the car park tax. The cost of an annual parking permit in Edinburgh is already £202, which is the third highest in the UK—in fact, it is £82 higher than in London. Overall, the average cost of a permit in cities across the UK is £103, almost half of what it is here in Edinburgh.

This legislation, giving councils the power to implement car parking taxes, is typical of the SNP-Green Government—it grants councils the powers and then blames them for putting the policies in place. That is totally unacceptable.

The Scottish Conservatives have been steadfast in our opposition to the car park tax. It is an indiscriminate tax, and it is one that will hit the most vulnerable in this country. We will see people being priced out of owning a car. The transport minister would not take my intervention earlier, but ministers have put forward a clear message, which is that poorer people in this country cannot afford to have and run a car. That is the message that this debate will send. I am happy to take an intervention from the ministers.

**The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights (Patrick Harvie):** If the member wants an intervention, it is very clear that most of the people at the lower end of the income scale rely on public transport and on active transport. If we are concerned about transport justice, they are the people we should be supporting.

**The Deputy Presiding Officer:** Mr Briggs—you must wind up now.

**Miles Briggs:** I think that the ministers and the SNP and Green members need to explain where low-income families will find £428 to pay this tax just to go to work.

Those cost of living pressures are facing families across Scotland. This is the wrong policy at the wrong time and it will hit the poorest in our

society. The message today is clear that it is time—

**The Deputy Presiding Officer:** Mr Briggs, your time is up.

16:34

**Paul McLennan (East Lothian) (SNP):** I am delighted to speak in this Conservative Party debate.

Alok Sharma told the formal opening session of the 26th United Nations climate change conference of the parties—COP26—in Glasgow that the conference was the “last, best” chance to keep temperature rise limits to 1.5°C. He also said that he believed that the conference could

“launch a decade of ever increasing ambition and action.”

He told delegates:

“The rapidly changing climate is sounding an alarm to the world, to step up on adaptation, to address loss and damage, and ... to keep 1.5 alive ... we need to hit the ground running to develop the solutions that we need”.

He said that that work needs to start “today” and that

“we will succeed or fail as one”.

**Finlay Carson:** Will the member take an intervention?

**Paul McLennan:** No. I have only four minutes.

Today, Mr Sharma’s Scottish Conservative colleagues turned their backs on those words.

**Douglas Lumsden:** On that point, will the member take an intervention?

**Paul McLennan:** No. I have only four minutes. I am sorry.

Transport is the largest source of climate change emissions, and car use forms the largest part of those emissions.

**Maurice Golden:** Will the member take an intervention?

**Paul McLennan:** No. I am sorry.

**The Deputy Presiding Officer:** The member has made clear that he is not taking interventions, so it is not worth anybody’s time to bob up and down.

**Paul McLennan:** I am obviously annoying them, Presiding Officer.

I acknowledge that on-going improvements in public transport and active travel are necessary but, on their own, insufficient to meet Scottish climate targets. There is a clear need for traffic demand management. Road transport accounts for 24 per cent of all Scottish emissions, which

means that road transport alone is a larger emitter than any other sector in the economy.

To meet the Scottish Government’s climate targets, significant reductions in emissions from road transport will be required. Electrification of car fleets will not be sufficient to deliver the necessary carbon reductions, so a reduction in road transport will be required in addition to the increased uptake of electric vehicles. The Scottish Government has recognised that in introducing its target to reduce car kilometres by 2030.

The workplace parking levy can generate income for public transport investment and rebalance the cost of private car use versus public transport use, as the minister mentioned. This is a discretionary power for local authorities, and the decision is one for locally elected councils. Electors will have the opportunity in May to put forward their views on who is best to take that forward.

**Miles Briggs:** Will the member take an intervention?

**Paul McLennan:** No. I am sorry.

Are the Tories the self-proclaimed party of choice—or are they selective in that regard? Local authorities can choose whether and when to introduce the levy, and the choices that we make in the Parliament can drive behavioural change.

Of course, legislation that is introduced should be evidence based. The successful implementation of the workplace parking levy in Nottingham demonstrates the benefits gained: reducing congestion, improving public transport and attracting investment. In 2012, the city of Nottingham became the first UK city to successfully introduce the levy as a demand management tool to address congestion. The introduction of the levy has been shown to reduce congestion in the city and, by 2018, it had raised £53 million in revenue. Of course, that revenue helped to fund public transport improvements in the city, including the significant extension of the tram network. The key thing is that those improvements have increased take-up of public transport and have attracted further investment to the city.

In consultation with their communities, there is also scope for local authorities to exempt specified groups, types of spaces, vehicles or times.

The workplace parking levy is well placed to deliver wide benefits to a town or city while not being overly burdensome. It can target peak-time congestion and reduce pollution in towns and cities. It provides an income that can be ring fenced for sustainable transport projects and can easily accommodate exemptions for blue badge or emergency vehicle parking. The power to

introduce a workplace parking levy is a discretionary power for local elected councils, so it is their choice.

At COP26, the US Secretary of Transportation, Pete Buttigieg, said that

“every transportation decision is a climate decision”,

and he was right. The workplace parking levy is the right decision for our climate, our cities and our future.

**The Deputy Presiding Officer:** When a member does not take an intervention, that is not an invitation for other members to shout their interventions from a sedentary position. I encourage members to behave courteously towards one another.

16:39

**Liz Smith (Mid Scotland and Fife) (Con):** I shall take great pleasure in being courteous.

When a Government is proposing to introduce a new tax, or conferring on local government the ability to levy that tax, it would be normal practice for that Government to undertake a full economic impact assessment of the proposed measure and to state, with clarity, the specific purpose with regard to bringing in revenue and determining policy direction.

I think that the cabinet secretary was about to respond to this point during Graham Simpson's speech, but at yesterday's meeting of the Net Zero, Energy and Transport Committee, she seemed to imply that such modelling is not done until a scheme is in place. I am sorry, but that is not good practice. I sit on the Finance and Public Administration Committee, and time and time again, we are told that modelling is essential before a policy is introduced. If the cabinet secretary wants to respond, I am happy to let her do so.

**Jenny Gilruth:** I thank Ms Smith for the promotion—I am but a junior minister.

The point that I made to Liam Kerr yesterday is that it is not for me in Government to do that modelling; it is for local authorities to look at their individual local circumstances and model accordingly. The point was raised at the committee two weeks ago, and I wrote to the committee outlining the modelling that we undertook and pointing to the Nottingham example. Therefore, it is not fair to say that no modelling was undertaken, as Ms Smith says. It is absolutely a power for local authorities to consider—it is not for Government to direct.

**Liz Smith:** I am interested to hear that, because if the minister reads the transcript of yesterday's committee meeting, she will find that her response

was rather different from the response that she has just given.

I will deal with the point head on. In its September 2021 consultation document, Transport Scotland states, quite rightly, that it is for

“local authorities to decide whether ... to use that power and, if so, to shape their proposals”

according to local circumstances, but—it is a big but—Transport Scotland also said that

“Supporting regulations and guidance will be necessary to provide national consistency on ... the scheme”.

I ask the minister: which is it? Is this about autonomy for local authorities to adopt a workplace parking levy should they see fit, or is it a nationally designed scheme that is overseen by ministers, who will decide key elements of the policy, such as exempted groups? In other words, the scope of the tax has already been partially restricted by Scottish ministers, which undermines the localism that the SNP says that it is supporting.

I should also make the point that, in Nottingham—which has been referred to several times as somewhere where a similar scheme was introduced—the local authority invested heavily in public transport before the levy was introduced.

There are serious issues with the tax. It is non-progressive and it impacts most on low-paid workers and apprentices.

**John Mason:** Will the member take an intervention?

**Liz Smith:** I will not, if the member does not mind.

The tax will apply even where there is no public transport available, which will affect night-shift workers. There are situations in which people live in one local authority area but commute to another. Should they face the levy in the latter, they would have no say in the elections of the authority that is imposing the charge.

We also know what businesses are saying about the issue. There was no consultation at the outset—comments from the Federation of Small Businesses and the chambers of commerce have been mentioned.

It is incumbent on the Government to explain again the basis on which it decided that it was right to confer the power on local government. That is the key question here, but, as yet, it has not been answered. Therefore, I am happy to support the motion in the name of Graham Simpson.

16:43

**Richard Leonard (Central Scotland) (Lab):** I remind members of my entry in the register of members' interests.

The Conservative Party motion condemns the introduction of the workplace parking levy because it is a tax on drivers. We condemn the workplace parking levy because it is a tax on workers. At a time of rising poverty and widening inequality, the levy will make in-work poverty and our unequal society not better, but worse. For us, it is about who is bearing the cost. It is not a progressive tax on the idle rich, but a regressive tax on the working poor.

The Conservative motion also says that the Government's priority

"should be ... the roll-out of electric vehicles".

However, the Labour perspective on that is different as well. Of course, there should be support to make it easier for people to switch from petrol and diesel to electric vehicles, but the priority should be to get people out of their cars, green or otherwise, altogether, and on to public transport.

That is why we say to the SNP and the Greens that raising fares, closing services, halting investment, axing railway booking offices and slashing jobs on our railways—all of which they are currently doing—is not taking us in the right direction; it is taking us in exactly the wrong direction.

The minister will tell us that the levy is about free choice, but for many working people there is no free choice. Because of the shifts that they work and because of where they work, there is no public transport alternative. It is not a matter of choice.

We are also told that the measure is a

"discretionary power"

given to local authorities in the

"context of their local transport strategy".

That is from a Government that, for 15 hard years, has been anti-local authority; that has savagely cut local government funding at three times the rate of the rest of the public sector; that has capped council tax; that has centralised police and fire services; that wanted to take education into central control; and that now wants to do the same to social work and social care. So I am not surprised that some local government leaders are considering availing themselves of these tax-raising powers, because they have suffered a decade and more of Tory, Liberal, SNP and now Green cuts to their funding and to their powers.

It is no use the First Minister tweeting or going into television studios to lament the cost of living crisis, which is already hitting the poorest the hardest, and then coming to this Parliament to propose a measure that will not ease the cost of living crisis but will deepen the cost of living crisis—it will make it worse.

The SNP boasts about its public investment in electric vehicle infrastructure. However, as I have spoken of in Parliament before, what should be a public good is being turned into a private monopoly. Seventy-four per cent of Scotland's public network spend on electric vehicle charging points will go to Swarco, a single multinational corporation headquartered in Austria, while local suppliers are being left out in the cold.

I will be supporting the clear alternative set out by Labour this afternoon: to invest in rail; to invest in buses; to invest in active transport; and to properly invest in local transport strategies that are based on public not private transport, run for passengers, not for profit.

16:47

**Jackie Dunbar (Aberdeen Donside) (SNP):** Transport is the largest source of climate change emissions, of which car use contributes the largest amount. In our ambition to reach net zero, we must reduce car kilometres by 20 per cent by 2030, promote active travel and improve our public transport networks.

**Maurice Golden:** Will the member take an intervention?

**Jackie Dunbar:** I would like to get started, if the member does not mind.

Time and time again, I hear from my Tory and Labour administration colleagues in Aberdeen City Council, where I serve as a councillor, that power is centralised to Holyrood and that we need more powers coming to local authorities, because they think that they know what is best for the city of Aberdeen. We now see those powers being given, along with the flexibility to tailor the levy to local circumstances, but their Holyrood party colleagues are putting more emphasis on the Government creating further exemptions and strings on the legislation and, in effect, taking away that power.

**Maurice Golden:** Will the member take an intervention?

**Jackie Dunbar:** The flexibility of the workplace parking levy is one of the benefits of the legislation. Local authorities are best placed to know what works for them and to create a scheme that benefits their area.

**Maurice Golden:** Will the member take an intervention?

**The Deputy Presiding Officer:** Maurice Golden, the member is not taking an intervention. Please resume your seat.

**Jackie Dunbar:** Empowering local authorities to take ownership of the workplace parking levy is key to ensuring that the legislation fits each local circumstance.

Yesterday, I said that what fits in Aberdeen might not fit in Edinburgh. That is true even between areas in Aberdeen: what suits Aberdeen Donside might not suit Aberdeen Central or Aberdeen South. Local authorities need to consult our citizens and businesses to ensure that the legislation meets the needs of their workers, and they need to undertake the necessary impact assessments and decide whether a scheme fits with their local objectives.

**Graham Simpson** *rose*—

**Stephen Kerr (Central Scotland) (Con):** Will the member give way on that point?

**Jackie Dunbar:** I will give way, finally.

**Stephen Kerr:** Will Jackie Dunbar campaign for car parking taxes in her constituency? Will she attempt to sell that ridiculous idea to the people who pay their taxes, obey the rules and do the best that they can to deal with all that life throws at them?

**Jackie Dunbar:** The SNP group in Aberdeen has already said that it will not introduce the car parking levy. That is local democracy. My colleague Douglas Lumsden is laughing—this from a man who has a private car parking space in the middle of Aberdeen city centre because he is a councillor while his own council staff have to pay car parking charges. I will not take lectures from the Conservatives.

It is right that the Scottish Government has introduced a blanket exemption for blue badge holders, healthcare workers at national health service premises and parking places at hospices. However, local authorities will be able to use their local knowledge and provide additional exemptions where those are required to fit the local circumstances by listening to the requirements of the area through consultation and community empowerment. Nottingham City Council, the only local authority in England to have introduced a workplace parking levy, has created a system that works for its area.

I am pleased that any revenue that is raised by the workplace parking levy will be reinvested in local transport strategies and the promotion of more affordable, greener transport choices.

I will finish off, Presiding Officer. I am sorry that I will probably be a little bit over time, if you do not mind.

In his motion, Mr Simpson criticises the Scottish Government for its investment in electric vehicle infrastructure at a time when commitments have been made to provide up to £60 million to local authorities over the next four years. That funding has the potential to double the size of the public charging network in Scotland. The workplace parking levy is about funding alternative transport options.

With all that in mind, I will support the minister's amendment at decision time.

16:51

**Mark Ruskell (Mid Scotland and Fife) (Green):** In debates led by Mr Simpson, I am sometimes reminded of a much-loved 1970s television character. It is not Fred Flintstone but Mr Benn. In each episode, Mr Benn would choose to dress up as a different character and would then go on an amazing adventure in which he would learn about new things. So it is with Mr Simpson. One day, he is the Lycra-clad cycle activist convening the Parliament's cross-party group on sustainable transport; the next day—as we hear today—he is Mondeo man railing against an imaginary war on the motorist. Then, another day, we get Councillor Simpson, the erstwhile defender of local government decision making and autonomy.

However, unlike Mr Benn, Mr Simpson and his colleagues cannot be all things to everyone. If someone supports the rights of cyclists, walkers and wheelers one day, they have to follow through and support policies that tackle congestion, invest in places and make streets safer. That is what workplace parking levies do.

If Mr Simpson champions local decision making, as he does from time to time, he must trust councils to make the judgment about whether workplace parking levies are right for their areas—or not, as the case may be.

**Stephen Kerr:** Will Mark Ruskell give way?

**Mark Ruskell:** No.

If councils decide that workplace parking levies are part of the solution, Mr Simpson must trust them to decide what exemptions should be put in place and what levels of charge are appropriate for their local areas.

**Stephen Kerr:** Will Mark Ruskell give way on that point?

**Mark Ruskell:** No.

During the committee debate yesterday, we heard some contorted arguments from members who oppose the levy purely on principle. For example, Mr Simpson made the point that, because income from the levy in Nottingham has

gone down over time, it is some sort of abysmal failure. It is precisely the opposite. The reason that the levy income has gone down is that people are becoming less dependent on their cars and are finding other ways to get to work, including on the trams and better buses that were funded directly from the levy.

Then we heard from Mr Simpson an upside-down world version of that point: that councils might use the levy to fund transport projects that would worsen congestion. The pitch would be something along the lines of, "Pay your way to longer journey times, more air pollution and more congestion." I do not see that getting on anyone's council election leaflet.

Workplace parking levies are about investment in solving the chronic health, economic and environmental problems that we have in our cities, which are caused by congestion, air pollution and town centre decline. It would be wrong to hold back progress on the introduction of those levies where councils want them. We face a cost of living crisis, but people on the lowest incomes are the least likely to have access to a car, and many of those people are dependent on bus services.

Ending the cycle of decline of bus services in Scotland means making services more affordable, reliable and accessible, increasing passenger numbers and improving profitability so that routes can be restored. Nottingham used its levy income to invest heavily in bus and tram, reversing the decline and cutting 40 million car miles over the past 15 years.

Scotland needs to cut its carbon emissions by three quarters in just nine years. That is a sobering thought. If members did not want workplace parking levies in 2019 and want to delay them again now, they need to say what other form of demand management they will put in place. Right now, our climate targets are dead in the water unless we see a huge reduction in road traffic emissions. It is clear that business as usual will lead us down a road of no return. It is time to get behind workplace parking levies as a reasonable and democratically accountable measure for investing in the transport solutions that we all need.

16:56

**Jim Fairlie (Perthshire South and Kinross-shire) (SNP):** In 2019, all Labour and Tory MSPs, alongside SNP members, voted for the legally binding emissions reduction targets in passing the Climate Change (Emissions Reduction Targets) (Scotland) Bill. Those targets rightly require urgent and transformational action across all parts of the economy if they are to be met. They will not come about by wishful thinking or crossing our fingers.

In that context, the motion and the Labour amendment are pretty disappointing. Being an Opposition party should not be simply about opposing everything that comes along.

**Finlay Carson:** Will the member take an intervention?

**Jim Fairlie:** Responsible opposition means that, if a party opposes a revenue raising policy, it should say how it will replace that income. If a party calls for new investment in something, it should say where the money will come from.

**Liz Smith:** Will the member take an intervention?

**Jim Fairlie:** The motion does the opposite of that. It makes a blanket condemnation of the introduction of the workplace parking levy and blithely calls on the Scottish Government to increase support for

"the roll-out of electric vehicles and the infrastructure to support them"

and to make public transport "more efficient and affordable". Those are all fantastic aspirations that I would support but, equally, they are all without any indication of where the funds would come from to make them happen.

**Liz Smith rose—**

**Maurice Golden rose—**

**Jim Fairlie:** I have absolutely no doubt that we will continue to hear of innovations and investment from the Scottish Government to tackle the climate crisis and promote the use of greener energy. I am equally sure that those will be thought out and funded and that the Scottish Government will continue to balance the books, as the SNP has done every year since taking office.

It really is time for the Conservatives to start making some actual decisions.

**Maurice Golden rose—**

**Jim Fairlie:** They cannot keep calling for local authorities to be given more power and then decrying those powers when they are provided. They cannot keep calling for action on climate change and then complaining whenever action is taken. These are serious times that we are living in.

**Maurice Golden rose—**

**The Deputy Presiding Officer:** I have made it clear that it is up to members whether or not they take interventions. If they are not going to take interventions, do not remain on your feet, shouting the odds. Please can we have a bit of courtesy for other members who are speaking?

**Jim Fairlie:** Thank you, Presiding Officer.

Let me repeat that. It really is time for the Conservatives to start making some actual decisions. They cannot keep calling for local authorities to be given more power and then decrying those powers when they are provided. They cannot keep calling for action on climate change and then complaining when action is taken. These are serious times that we are living in.

There are some areas of public policy left where opposition for opposition's sake still has a role to play, and the Tories are past masters at that. However, the level of scaremongering and downright nonsense being spouted by the Conservatives around the country on the issue of workplace parking levies is just beyond it. Time and again in this chamber, we have heard Conservative speakers calling for more empowerment of local councils. Giving local authorities the power to introduce a workplace parking levy if they believe that it suits their local situation is doing exactly that. The Scottish Government is not imposing

"taxes to force families in Scotland into giving up their cars."

Indeed, if such taxes were introduced in Perth and Kinross, it would be the Tories doing the imposing, given that they run the council.

The hypocrisy of the Scottish Tories does not end there. Although nowhere in Scotland is yet imposing a workplace parking levy, one has been introduced by Nottingham City Council—as we have heard several times—which is using legislation that was introduced for England by the Tory Westminster Government.

The hypocrisy is not restricted to the Tories. The Labour amendment says that the workplace parking levy

"will unfairly penalise working people",

but it was a Labour council that introduced the scheme in Nottingham. As we have heard a number of times, the city has had a workplace parking levy scheme since 2012, and it has among the highest rates of public transport use in the country, with an associated fall of 40 million car miles over the past 15 years.

In Nottingham, the levy has raised about £75 million in revenue, which has supported the expansion of the tram system, the redevelopment of Nottingham station and investment in bus services and electric buses. I do not want to get into the old chicken-and-egg argument with Labour members, but the fact is that Nottingham City Council officials have stated that those schemes would not have happened without the workplace parking levy.

Leicester City Council, in which Labour holds 52 of the 54 seats, is consulting on the introduction of a workplace parking levy to

"fund a radical overhaul and long-term modernisation of the city's public transport".

It reckons that the levy could bring in £95 million over 10 years.

**The Deputy Presiding Officer:** You need to conclude, Mr Fairlie.

**Jim Fairlie:** I will. Do I have a bit of latitude because of what happened earlier?

**The Deputy Presiding Officer:** No. I have given you latitude for that.

**Jim Fairlie:** Let us acknowledge that a workplace parking levy—

**The Deputy Presiding Officer:** Mr Fairlie, you have to resume your seat.

17:01

**Pauline McNeill (Glasgow) (Lab):** It is astonishing that, at a time when the Bank of England is predicting that inflation will go up to 7.25 per cent in April, the SNP still refuses to recognise the consequences for ordinary people of implementing a car tax. The SNP says that it is a levy on the parking provider, but we all know from the legislation that Nottingham City Council used that the cost was passed on to workers. As we have heard from all the SNP back benchers, that is the policy's primary purpose. It is a devolved policy when it suits the Government but not when it comes to freezing council tax. The Government needs to be consistent about when it thinks that local authorities should be trusted to carry out their own policies. It is total hypocrisy.

No amount of reasoning with SNP ministers in trying to cushion the blow led to exemptions for low-paid workers, single parents and people in our public services who work shifts, including night shifts, such as those in the police and the ambulance service. The SNP gave exemptions for some people but, for some reason, it chose not to exempt anybody else. SNP back benchers voted down every one of my amendments. It could still be a local policy if there was a floor to protect ordinary working people. Even though there is a statutory obligation on the Government to poverty-proof single parents in the anti-poverty plan, the SNP voted down my attempt to exempt single parents from the tax.

The SNP has washed its hands of the consequences of the legislation—one of the most damaging policies in 14 years—on low-income drivers.

**John Mason:** Will the member take an intervention?

**Pauline McNeill:** I will get to John Mason in a minute. He does not seem to think that any people on low incomes own cars, which is deeply disturbing. If Susan Aitken and Anna Richardson are going to consult about such a scheme in Glasgow, I ask the Glasgow MSPs whether they will support it—let us be clear about that.

The policy is designed to stop people using their cars; that is its purpose. The Government is hiding behind the notion that it is up to cash-strapped local authorities to make the decisions, but it knows full well that, even in Glasgow, public transport is not up to the mark.

Let us look at who will be affected: women with childcare responsibilities, for example. In the city that I represent, there are people who work shifts in factories, and they will simply not be able to get to their work without a car. The Government is going to tax them up to £500. If businesses had been asked whether they had some issues with that, perhaps the Government would have got some deserved feedback.

According to the Government's figures, in households in which total combined income—that means that it is not just one person's income—is between £20,000 and £25,000, 59 per cent of people travel by car to work. Does the Government know that? Whatever the merits of the workplace parking levy, is now the time to introduce it? I suggest that it is not.

In its motion and its rhetoric, the Government talks about public transport, but there has been no serious investment in transport in 14 years in the west of Scotland. As I have mentioned in the chamber, the mythical Clyde metro is a nice dream and one that I support, but it does not seem to exist. The Government will not even invest in an air link to take traffic off the M8. I am sorry, but I cannot take the Government's climate change notions seriously, because in 14 years the SNP has done absolutely nothing to take traffic off the M8. We may see the Clyde metro in 30 years—the *Evening Times* has reported on that—but the SNP has not even blinked over this policy.

Energy prices are rising by 50 per cent, petrol and diesel prices are up and we have the highest food prices on record, all of which disproportionately affect poor people. If it had wanted to, the SNP could have legislated to say that this tax should be borne by the owners and employers, but it did not—we would at least have had something in common had it done so.

The levy will not raise the levels of public money that are needed for investment. Nottingham raised £2 million. That sum will not even touch the sides of a rail link to Glasgow airport.

**The Presiding Officer (Alison Johnstone):** You need to wind up, Ms McNeill.

**Pauline McNeill:** The Government is not serious about the scheme and it should rethink it. The SNP will pay the price when ordinary working people see that it has imposed a tax on car drivers.

17:06

**The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights (Patrick Harvie):** I suppose that it is normal at this stage in a debate to say that it has been of high quality, worth while and enlightening. I fear that that is not true today and that we have wasted our afternoon listening to some hyperbolic but also, bizarrely, quite shallow and contorted arguments against legislation that the Parliament has already passed and regulations that have already been passed by committee, about the principle of local decision making, which has already been agreed. From the debate on the original amendment that brought the power into being to the discussions on the development of the policy through to today, I have yet to hear an argument on a point of principle as to why councils should not be allowed to make this decision.

**Liz Smith:** Will the member give way?

**Patrick Harvie:** I will in a moment.

It is perfectly legitimate to be against the policy and to think that it is a bad idea, either in general or in specific local circumstances, but I hear no argument, as a point of principle, for forbidding councils to make their own decisions on the issue.

**Liz Smith:** I have heard Mr Harvie several times in the past say that one element that could improve Parliament is better post-legislative scrutiny. Does he accept that we are debating a situation in which many councils are choosing not to take up the legislation from 2019 because of the detrimental impact that it will have on so many people who use their cars?

**Patrick Harvie:** I welcome increased scrutiny. We had scrutiny at committee yesterday, and consistent scrutiny has taken place throughout this process. I hope that Liz Smith is not suggesting that Opposition parties should never be able to bring ideas to the table during the legislative process, pass amendments and introduce changes to the law. I hope that the Conservative Party will seek to use that influence constructively—more constructively than Graham Simpson today, who not only made no serious argument on the point of principle but, like so many Conservatives these days, was reduced to childish name calling. If he is trying to suggest that the Greens are a political party unworthy to be in government, he maybe needs to raise his own game a little.

It might be legitimate to oppose the policy, but it is not necessarily consistent to do so. It is certainly not consistent for the Labour Party to do so, because it was, after all, a Labour-run UK Government that introduced this power south of the border and it was a Labour council in Nottingham that introduced the measure and showed it to be such a practical success—Mark Ruskell set out clearly the degree of success that it has had. That is why Labour councillors in Glasgow and Edinburgh introduced a proposal for the scheme in their manifesto and why Labour councillors in Leicester and Oxford are also looking to develop it—they see its success.

As for the Conservative show of consistency, the Conservatives have—regrettably—been in government in the UK for the past decade or so and they could have scrapped the power at any time they wished, but they chose not to.

There should, of course, be consultation about the levy, including with the unions. That point has been well made. Of course, there was a 12-week consultation during the summer last year. If councils bring forward proposals to implement the scheme, they will also be required to consult at that point. I note that the STUC, quite understandably, chose not to engage in consultation on the technical regulations. I also remind members that some organisations have not been cited at all; their arguments have barely been acknowledged. Friends of the Earth, Edinburgh Napier University, the Confederation of Passenger Transport, Living Streets, WWF Scotland, Sustrans and more have all offered their support to the scheme.

**Miles Briggs:** Will the member give way?

**Patrick Harvie:** I will give way one more time if I have a moment.

**Miles Briggs:** Will the minister accept that this is an indiscriminate tax that will impact on the lowest-income families that own a car in this country? That point has been made across the chamber today, but we have not had an answer.

**Patrick Harvie:** I simply do not accept Miles Briggs's suggestion that the lowest-income families in this country own cars. The lowest-income families are mostly excluded from car ownership and we should support public transport, as the Government is doing, with more powers for municipal buses; serious investment in rail and public ownership of ScotRail; and free bus travel for under-22s adding to the existing free bus schemes, so that almost 50 per cent of the population will have free use of buses in Scotland, which in itself will make more routes viable. There is also the fair fares review and so on.

**The Presiding Officer:** Please conclude.

**Patrick Harvie:** We are also committed to a 20 per cent reduction in car use. In conclusion, I say to Richard Leonard that that is taking Scotland in the right direction. Scotland used to have road traffic reduction targets, but the Labour-Lib Dem coalition scrapped them.

**The Presiding Officer:** Thank you, minister. I must ask you to conclude.

**Patrick Harvie:** Were those parties taking Scotland in the right direction then? As in so many other issues, on climate change—

**The Presiding Officer:** Thank you minister!

**Patrick Harvie:** —they will end but not the means.

**The Presiding Officer:** Thank you.

17:12

**Liam Kerr (North East Scotland) (Con):** Presiding Officer,

“The workplace parking levy is simply a bad solution to an important problem and shouldn't be given the green light.”

So said Tracy Black, the director of the Confederation of British Industry Scotland. Today, we have heard what she meant by that. By driving ahead with what the Net Zero, Energy and Transport Committee heard yesterday is an “undercooked and underprepared” policy, the Scottish Government is implementing what Pat Rafferty, Unite the union's Scottish secretary, called a

“regressive tax which will hit all public sector workers but in particular the poorest paid.”

As Liz Smith said, the levy will apply even when no public transport is available, so it will hammer night-shift workers in particular. It will also apply when people live in one local authority but commute to another, thus giving them no say in the elections of the authority that would impose the charges.

Paul McLennan told us that the Government is ploughing ahead with the scheme in order to drive behaviour change and to get people out of their cars. However, as the minister conceded yesterday, the Government has no idea what level of charge will be required to drive such behaviour change. As Liz Smith said, the Government has not even bothered to do the basics to guide councils on what might make schemes work, despite Transport Scotland's having expressly said five months ago that guidance must be provided. The minister conceded yesterday that such guidance does not exist.

Some members have argued that employers might not pass the charges on to employees, but if employers absorb the tax that will divert potential

investment in jobs, in productivity and in infrastructure. That is to say nothing of employers being taxed twice for the same space—through the already punishing rates system and again through the car park tax.

The police are already massively underfunded by the Scottish Government but, as we heard last week, they project that a car park tax—which they will need to bring in for safety because police officers need to drive to work—would strip £250,000 from their budget.

Mark Ruskell said that the levy is needed to get people out of their cars, but Liz Cameron of Scottish Chambers of Commerce has made the great point that, if employers do not pass on the cost of the parking levy to employees, the employees have no reason to change their driving habits. The evidence shows, however, that the charge will be passed on.

**Mark Ruskell:** Mr Kerr needs to understand that workplace parking levies raise millions and millions of pounds for investment in the alternatives that get people out of cars. Regardless of whether the charges are passed on to specific groups, the benefits still exist—we still get a better public transport system, with more alternatives so that people can leave their cars at home. That is what has happened in Nottingham. The same can happen in Edinburgh and Glasgow, so let us get on with it.

**Liam Kerr:** Mr Ruskell needs to realise that Nottingham City Council invested in public transport before it brought in the levy. Nottingham City Council's former leader admitted that the scheme there did not reduce congestion, and conceded that the scheme was hugely unpopular and that there were concerns that businesses would move rather than pay the levy. I am sure that Mr Ruskell would not want that.

The evidence shows that the charge will be passed on. As Neil Bibby said, people already face unbearable hikes in the cost of living. It cannot be right to impose greater costs on working—as Richard Leonard rightly said—or on studying. We have heard that students could face bills of £500 per year to park on campus—to pay for the privilege of accessing their education.

Robert Kilgour of Renaissance Care warned that forcing care workers, 87 per cent of whom are women, out of their cars will put safety at risk. He called the proposed levy an

“unfair tax on our pandemic heroes.”

The Food and Drink Federation has pointed out that bringing in a car park tax will not make much difference to vehicle emissions in its sector, because of the lack of public transport options and the lack of a plan to deal with that aspect.

As Miles Briggs said, the workplace parking levy is a deeply cynical policy from the SNP. The SNP is slashing council budgets by—according to COSLA—£100 million this year, but is now dangling a revenue-raising power for councils, which Glasgow City Council officials have delightedly reported could raise as much as £30 million from the working population of the city. Jim Fairlie even admitted that the policy is about revenue generation to replace cuts.

By pursuing the policy, the Scottish Government is pushing the blame, the pain and the shame on to councils and is ensuring that, yet again, it is our local authorities that get pelters for ameliorating SNP budget cuts. Well, let me be clear: no Conservative-led council will impose the hated car park tax.

We all accept that there is a climate emergency and we all accept that we need to reduce emissions, but the way to do that is to fund councils properly, to fund proper infrastructure and to make public transport more efficient, available and affordable. It is not to impose eye-watering taxes on businesses and employees who are coming out of a pandemic and are in a cost of living crisis.

That is why I will vote for the motion in Graham Simpson's name.

## Business Motions

17:17

**The Presiding Officer (Alison Johnstone):**

The next item of business is consideration of business motion S6M-03334, in the name of George Adam, on behalf of the Parliamentary Bureau, on changes to tomorrow's business. I invite George Adam to move the motion.

*Motion moved,*

That the Parliament agrees to the following revision to the programme of business for Thursday 24 February 2022—

delete

*followed by* Net Zero, Energy and Transport Committee Debate: COP26 - Outcomes and Implications for Scotland's Climate Change Policies

and insert

*followed by* Scottish Government Debate: Solidarity with Ukraine—[George Adam.]

*Motion agreed to.*

**The Presiding Officer:** The next item of business is consideration of business motion S6M-03301, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme. I invite George Adam to move the motion.

*Motion moved,*

That the Parliament agrees—

(a) the following programme of business—

Tuesday 1 March 2022

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Ministerial Statement: Update on Scotland's Climate Assembly

*followed by* Scottish Government Debate: A Scottish Approach to the Mental Health and Wellbeing of Our Veterans in Each Community

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 2 March 2022

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Net Zero, Energy and Transport

*followed by*

Constitution, Europe, External Affairs and Culture Committee Debate: Internal Market Inquiry

*followed by*

Scottish Government Debate: Local Government Finance (Scotland) Order 2022 [draft]

*followed by*

Scottish Government Debate: UK Shared Prosperity Fund – What This Means for Scotland

*followed by*

Business Motions

*followed by*

Parliamentary Bureau Motions

*followed by*

Approval of SSIs (if required)

5.40 pm

Decision Time

*followed by*

Members' Business

Thursday 3 March 2022

11.40 am

Parliamentary Bureau Motions

11.40 am

General Questions

12.00 pm

First Minister's Questions

*followed by*

Members' Business

2.00 pm

Parliamentary Bureau Motions

2.00 pm

Portfolio Questions: Rural Affairs and Islands

*followed by*

Ministerial Statement: The Introduction of the Gender Recognition Reform (Scotland) Bill

*followed by*

Scottish Government Debate: The Value of Public Service Broadcasting to Scotland

*followed by*

Business Motions

*followed by*

Parliamentary Bureau Motions

5.00 pm

Decision Time

Tuesday 8 March 2022

2.00 pm

Time for Reflection

*followed by*

Parliamentary Bureau Motions

*followed by*

Topical Questions (if selected)

*followed by*

Scottish Government Business

*followed by*

Committee Announcements

*followed by*

Business Motions

*followed by*

Parliamentary Bureau Motions

5.00 pm

Decision Time

*followed by*

Members' Business

Wednesday 9 March 2022

2.00 pm

Parliamentary Bureau Motions

2.00 pm

Portfolio Questions: Health and Social Care; Social Justice, Housing and Local Government

*followed by*

Scottish Labour Party Business

*followed by*

Business Motions

*followed by*

Parliamentary Bureau Motions

*followed by*

Approval of SSIs (if required)

5.10 pm	Decision Time
<i>followed by</i>	Members' Business
Thursday 10 March 2022	
11.40 am	Parliamentary Bureau Motions
11.40 am	General Questions
12.00 pm	First Minister's Questions
<i>followed by</i>	Members' Business
2.15 pm	Parliamentary Bureau Motions
2.15 pm	Scottish Parliamentary Corporate Body Questions
<i>followed by</i>	Portfolio Questions: Constitution, External Affairs and Culture
<i>followed by</i>	Ministerial Statement: Scottish Government Response to Report by Independent Advisory on Education Reform
<i>followed by</i>	Scottish Government Business
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 28 February 2022, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[George Adam]

*Motion agreed to.*

**The Presiding Officer:** The next item of business is consideration of business motion S6M-03308, in the name of George Adam, on behalf of the Parliamentary Bureau, on the stage 1 timetable for a bill. I invite George Adam to move the motion.

*Motion moved,*

That the Parliament agrees that consideration of the Coronavirus (Recovery and Reform) (Scotland) Bill at stage 1 be completed by 12 May 2022.—[George Adam]

*Motion agreed to.*

## Parliamentary Bureau Motions

### **The Presiding Officer (Alison Johnstone):**

The next item of business is consideration of Parliamentary Bureau motion S6M-03303, on the approval of a Scottish statutory instrument. I ask George Adam, on behalf of the Parliamentary Bureau, to move the motion.

*Motion moved,*

That the Parliament agrees that the Deposit and Return Scheme for Scotland Amendment Regulations 2022 [draft] be approved.—[George Adam]

17:19

### **Maurice Golden (North East Scotland) (Con):**

With this Scottish statutory instrument, which sets a new launch date for the deposit return scheme, the Scottish National Party and the Greens are asking industry to risk their reputations. The secrecy and uncertainty around deposit return mean that no one can take the Scottish Government seriously.

The latest delay was announced back in December but, prior to that, Circularity Scotland may have released tender documents indicating a 2023 launch. The Scottish Government has not denied that the Minister for Green Skills, Circular Economy and Biodiversity was aware of such documents, and I believe that the Parliament and the public have a right to know whether the minister was aware of a possible 2023 launch date a month or more before announcing it. Did the minister mislead the Parliament?

There must be transparency and trust for deposit return to work. The Government needs to provide answers. Why is the SNP-Green Government going for an old-fashioned 1990s-style system, with reverse vending machines, instead of a modern 21st century fully digital scheme?

### **Rhoda Grant (Highlands and Islands) (Lab):**

Does Maurice Golden agree that the Government's mishandling of the situation has managed to unite those who previously supported the scheme and those who were against it? The Marine Conservation Society originally championed the scheme and now asks us to vote it down. It told us to ask the Scottish Government to lay new regulations that include strict fiduciary measures to ensure that proposed milestones and implementation dates are met and that no more taxpayers' money is wasted. It is a disgrace that the Government's mishandling of the issue has caused the Marine Conservation Society to change its position. Does the member agree?

**Maurice Golden:** I agree that it is a shambles that we are in a situation in which the deposit

return scheme, which was agreed by the Parliament in 2011 and could easily have been delivered within a decade, is still not delivered. It is so bad, that technology has moved on. The scheme would be akin to providing every person in Scotland with a DVD and a DVD player two years before Netflix came out.

**Mark Ruskell (Mid Scotland and Fife) (Green)** rose—

**Maurice Golden:** I will happily give way if the Presiding Officer is content that I have the time.

**Mark Ruskell:** If the member wants a deposit return scheme to be delivered faster, why did he and his party vote against it several years ago? Why did he vote for a delay in the introduction of the deposit return scheme back then? Why has he changed his position?

**Maurice Golden:** I have never changed my position, but I want my questions to be answered, so I will list them.

Why will the Government not at least guarantee that the reverse vending machines will be built in Scotland? Is every business that will be affected by DRS fully aware of the implications for their business? Are banks concerned about funding the scheme, which would mean that Scottish Government funds may be required?

Are companies refusing to bid for Circularity Scotland contracts because of “reputational risk”? Did Circularity Scotland award a contract to PwC for £650,000 for producing recommendations only on a return handling fee, and was that due to be delivered by Eunomia consultancy for tens of thousands of pounds less?

Has the deadline for work on a producer registration system, which was due to be delivered in January this year, been missed? Will the vast majority of materials collected in the scheme be exported to England and other markets abroad? Why is there no remelt target to improve glass recycling?

Is the Scottish Government happy that there will be local authority job losses in waste management departments as a result of DRS?

We can deliver the current scheme, or delay and deliver a truly ambitious scheme. The Scottish Government is offering the worst of all worlds. I urge any member who believes in tackling climate change and has a commitment to transparency and the public sector to vote against the regulations.

17:24

**The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater):** Our deposit return scheme will increase recycling, cut

litter and help us to meet Scotland's climate targets.

The regulations before us will make a number of changes that are essential to ensuring that Scotland's deposit return scheme is a success. They set out a new date for full implementation, from 16 August 2023, recognising the significant impact that Covid and European Union exit has had on the businesses responsible for delivering DRS.

Additionally, the regulations make a number of small but important changes. They provide reassurance to online retailers providing a take-back service, clarify the treatment of products such as crawlers, help to prevent fraud and support the Scottish Environment Protection Agency to enforce compliance.

**Maurice Golden:** Will the minister take an intervention?

**Lorna Slater:** No, I will not.

One thing that the regulations do not change is the original ambitious scheme target of 80 per cent in 2024 and 90 per cent in 2025. By passing the regulations, members will allow Circularity Scotland and the wider industry to get on with the business of implementing the scheme, which is essential for the protection of our environment.

I ask members to support the regulations, vote for the motion and help to deliver Scotland's deposit return scheme.

**The Presiding Officer:** The next item of business is consideration of five Parliamentary Bureau motions. I ask George Adam, on behalf of the Parliamentary Bureau, to move motions S6M-03302, S6M-03304 and S6M-03305, on the approval of Scottish statutory instruments, S6M-03306, on committee meeting times, and S6M-03307, on designation of a lead committee.

*Motions moved,*

That the Parliament agrees that the Climate Change (Nitrogen Balance Sheet) (Scotland) Regulations 2022 [draft] be approved.

That the Parliament agrees that the Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2022 [draft] be approved.

That the Parliament agrees that the Maximum Number of Judges (Scotland) Order 2022 [draft] be approved.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Finance and Public Administration Committee be given permission to meet at the same time as a meeting of the Parliament between 1.30 pm and 3.45 pm on Thursday 24 February 2022.

That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill at stage 1.—[George Adam]

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

## Decision Time

17:26

**The Presiding Officer (Alison Johnstone):** There are eight questions to be put as a result of today's business. The first question is, that amendment S6M-03281.2, in the name of Maree Todd, which seeks to amend motion S6M-03281, in the name of Sandesh Gulhane, on preventing the collapse of national health service dentistry in Scotland, be agreed to. Are we agreed?

**Members:** No.

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

17:26

*Meeting suspended.*

17:30

*On resuming—*

**The Presiding Officer:** Before we proceed to the vote, I am sure that the Parliament would like to join me in welcoming Christina McKelvie back to the chamber. [*Applause.*]

The question is, that amendment S6M-03281.2, in the name of Maree Todd, which seeks to amend motion S6M-03281, in the name of Sandesh Gulhane, on preventing the collapse of NHS dentistry in Scotland, be agreed to. Members should cast their votes now.

The vote is now closed.

**Douglas Lumsden (North East Scotland) (Con):** On a point of order, Presiding Officer. My app seems to have crashed. I would have voted no.

**The Presiding Officer:** Thank you, Mr Lumsden. We will ensure that that is recorded.

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** On a point of order, Presiding Officer. I was unable to access the app. I would have voted yes.

**The Presiding Officer:** Thank you, Mr Brown. We will ensure that that is recorded.

**Carol Mochan (South Scotland) (Lab):** On a point of order, Presiding Officer. My app seems to have frozen. I would have voted no.

**The Presiding Officer:** Thank you, Ms Mochan. I am advised that your vote was recorded.

**Stephanie Callaghan (Uddingston and Bellshill) (SNP):** On a point of order, Presiding Officer. I do not think that my vote has gone

through. I think that my app is frozen, too. I would have voted yes.

**The Presiding Officer:** Thank you. I can confirm that your vote was recorded, Ms Callaghan.

#### For

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Willie Coffeyey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)

Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

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

**The Presiding Officer:** The result of the division on amendment S6M-03281.2, in the name

of Maree Todd, which seeks to amend motion S6M-03281, in the name of Sandesh Gulhane, on preventing the collapse of NHS dentistry in Scotland, is: For 70, Against 56, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** The next question is, that amendment S6M-03281.1, in the name of Jackie Baillie, which seeks to amend motion S6M-03281, in the name of Sandesh Gulhane, on preventing the collapse of NHS dentistry in Scotland, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

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

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

#### Against

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)

Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division on amendment S6M-03281.1, in the name of Jackie Baillie, is: For 56, Against 70, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that motion S6M-03281, in the name of Sandesh Gulhane, on preventing the collapse of NHS dentistry in Scotland, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)

Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Choudhury, Foysol (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Dowey, Sharon (South Scotland) (Con)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Griffin, Mark (Central Scotland) (Lab)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (South Scotland) (Con)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 Marra, Michael (North East Scotland) (Lab)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 O'Kane, Paul (West Scotland) (Lab)

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

**The Presiding Officer:** The result of the division on motion S6M-03281, in the name of Sandesh Gulhane, as amended, is: For 69, Against 57, Abstentions 0.

*Motion, as amended, agreed to,*

That the Parliament notes the impact of the COVID-19 pandemic on all aspects of healthcare, not least on the delivery of dental services due to the volume of aerosol generating procedures, and the impact that this has had on patients seeking appointments during this period; acknowledges that the challenges posed by the pandemic, including the backlog of care, are not unique to Scotland; notes the substantial pandemic-related investment in dentistry of the last two years that includes £5 million for ventilation improvements, £7.5 million for new dental drills, £35 million for additional PPE, and £50 million of financial support to dental practices; recognises that investment in NHS dentistry is increasing to a record high level with a 9% increase in the budget for dental services in 2022-23, including extending the reach of the Childsmile programme in high-street practices to young people up to 17 years of age; welcomes that the Scottish Government is providing dentists with an additional £20 million from February 2022 to give them new and additional incentives to see more patients, and that discussions continue with the British Dental Association on further reforms to support recovery; believes that NHS dentistry, like all NHS services, should be free at the point of need and supports the removal of all NHS dental charges to patients by the end of this parliamentary session, and further supports the Scottish Government's Oral Health Improvement Plan, which underpins that the frequency of dental checks should be shaped by clinical evidence and an individual patient's oral health risk assessment, with those at the highest risk being seen more frequently.

**The Presiding Officer:** I remind members that, if the amendment in the name of Jenny Gilruth is agreed to, the amendment in the name of Neil Bibby will fall.

The next question is, that amendment S6M-03279.2, in the name of Jenny Gilruth, which seeks to amend motion S6M-03279, in the name of Graham Simpson, on workplace parking tax, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

The vote is now closed.

**Stephen Kerr (Central Scotland) (Con):** On a point of order, Presiding Officer. I am not sure whether my vote was counted, because I have a message saying that the voting connection could not be started.

**The Presiding Officer:** What would your vote have been?

**Stephen Kerr:** It would have been no.

**The Presiding Officer:** I am told that your vote was recorded. Thank you.

**The First Minister (Nicola Sturgeon):** On a point of order, Presiding Officer. My system crashed. I would have voted yes.

**The Presiding Officer:** Thank you. We will ensure that that is recorded.

**For**

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)

McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Choudhury, Foysol (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Dowey, Sharon (South Scotland) (Con)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Griffin, Mark (Central Scotland) (Lab)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (South Scotland) (Con)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 Marra, Michael (North East Scotland) (Lab)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 O'Kane, Paul (West Scotland) (Lab)  
 Rennie, Willie (North East Fife) (LD)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)

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

**The Presiding Officer:** The result of the division on amendment S6M-03279.2, in the name of Jenny Gilruth, is: For 70, Against 56, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** The amendment in the name of Neil Bibby therefore falls.

The next question is, that motion S6M-03279, in the name of Graham Simpson on workplace parking tax, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

The vote is now closed.

**Pauline McNeill (Glasgow) (Lab):** On a point of order, Presiding Officer. You may have me recorded as voting yes. I tried to change it to no within the time limit, but I lost connection. I would have voted no.

**The Presiding Officer:** Unfortunately, we cannot change your vote at this point, Ms McNeill.

#### For

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)

Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Choudhury, Foyso (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Dowey, Sharon (South Scotland) (Con)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)

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

**The Presiding Officer:** The result of the division is: For 71, Against 55, Abstentions 0.

#### *Motion, as amended, agreed to,*

That the Parliament notes that the Transport (Scotland) Act 2019 gives local authorities the discretionary power to implement a workplace parking licensing scheme within the context of their local transport strategy and, if a scheme is proposed, requires local authorities to undertake consultation and impact assessments on their local proposals; welcomes that COSLA and local leaders of political parties positively greeted these new powers being provided to local authorities at the time of the Act in 2019; acknowledges that local authorities in England and Wales have had these powers for over a decade, with Nottingham City Council so far making use of them, and other authorities, including Oxford and Leicester, now also considering their use, and recognises that, as well as supporting a reduction in congestion and meeting climate change goals, workplace parking schemes will raise revenue to invest in local transport priorities, including public transport and active travel, and align with other recent Scottish Government initiatives such as free bus travel for under-22s, record investment in active travel, investment in electric vehicle infrastructure and the target to reduce car kilometres by 20% by 2030.

**The Presiding Officer:** The next question is, that motion S6M-03303, in the name of George Adam, on approval of a Scottish statutory instrument, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**For**

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**Against**

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

**Abstentions**

Ewing, Fergus (Inverness and Nairn) (SNP)

**The Presiding Officer:** The result of the division on motion S6M-03303, in the name of George Adam, is: For 68, Against 56, Abstentions 1.

*Motion agreed to,*

That the Parliament agrees that the Deposit and Return Scheme for Scotland Amendment Regulations 2022 [draft] be approved.

**The Presiding Officer:** I propose to ask a single question on five Parliamentary Bureau motions. Does any member object to that?

There being no objections, the final question is, that motions S6M-03302 and S6M-03304 to S6M-03307, in the name of George Adam, on behalf of the Parliamentary Bureau, be agreed to.

*Motions agreed to,*

That the Parliament agrees that the Climate Change (Nitrogen Balance Sheet) (Scotland) Regulations 2022 [draft] be approved.

That the Parliament agrees that the Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2022 [draft] be approved.

That the Parliament agrees that the Maximum Number of Judges (Scotland) Order 2022 [draft] be approved.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Finance and Public Administration Committee be given permission to meet at the same time as a meeting of the Parliament between 1.30 pm and 3.45 pm on Thursday 24 February 2022.

That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill at stage 1.

## LGBT History Month

**The Deputy Presiding Officer (Annabelle Ewing):** The final item of business is a members' business debate, in the name of Karen Adam, on celebrating LGBT history month. The debate will be concluded without any question being put, after we have heard the minister respond to the debate. I take the opportunity to add to what the Presiding Officer said in extending a very warm welcome back to the Minister for Older People and Equalities, Christina McKelvie.

*Motion debated,*

That the Parliament recognises that February is LGBT History Month; notes that this year's theme is Blurring Borders: A World in Motion, which invites people to think beyond borders and to ask each other what Scotland's place is within the global movement towards equality; highlights what it sees as the vital and continued efforts of Four Pillars, which is a charity that strives to maintain a sense of community for LGBT+ people across the north east of Scotland by supporting four aspects it considers are vital to wellbeing, which are mental, emotional, physical and sexual health; understands that LGBT History Month is coordinated by LGBT Youth Scotland, a national charity aimed at promoting health and wellbeing among LGBTI young people aged 13 to 25 across the country, hosting in-person and online events in partnership with, among others, Leap Sports Scotland, the National Library of Scotland and the National Lottery Heritage Fund Scotland; wishes all involved every success in their endeavours, and notes the call for everyone to support the campaign and raise awareness of the part that everyone can play in making Scotland a fairer, just and more equal society for all who live here.

17:50

**Karen Adam (Banffshire and Buchan Coast) (SNP):** I am envious of everybody who is in the chamber with Christina McKelvie. I cannot wait to get back there and see her in person. Welcome back, Christina.

I thank all the members from across the parties who have supported the motion so that we could bring the debate to the Parliament. LGBT history month this year is focused on the theme "blurring borders: a world in motion". Although some other countries in the world face a rising tide—a rollback, really—against LGBT human rights, the Scottish National Party Government is committed to improving the rights of LGBT people who live in Scotland.

If we take ourselves back in time, we see that until as recently as 1980 it was illegal to have gay sexual relations. That, of course, impacted on any potential romantic or intimate loving relationships. The law criminalised generations of LGBT people. Criminalisation of gay people fed a culture of shame that nurtured a hostile environment for people who were attracted to people of the same gender as them—an environment whose negative

impacts we still experience in our society. We still have a lot of damage to undo.

I have personally felt the impact of the hostile environment that was created. As a child, I had no understanding of my own small world. My mum was gay and I grew up in a household with two women. My mum's partner was referred to as "the lodger". Of course, adults gossiped and that filtered down to their children, who poked fun at me in the playground and called out homophobic slurs regarding my mum. I was confused and ashamed, and was taught to hide my family circumstances for fear of being bullied. But, surely, love should never mean having to live in fear.

My friends would ask me questions. Some were prompted by their parents, no doubt, but I guess that some were just curious. However, I could not answer those questions because I did not even know what being gay was. My mum never spoke about it, school never taught me about it and we certainly did not have any healthy examples of gay relationships to pull from. There were only slurs, shame and fear. In that context, we must remember that, in 1988, Margaret Thatcher's United Kingdom Tory Government implemented a series of laws that prohibited the so-called promotion of homosexuality—in other words, section 28.

This year's LGBT history month theme, "blurring borders: a world in motion", invites people to think beyond borders and to ask one another what Scotland's place is within the global movement towards equality, so let us look at Scotland's record.

Since devolution, we have made some landmark leaps forward in legislation. In 2000, the Scottish Parliament repealed section 28, so schools can now talk about LGBTI issues with pupils. In 2007, Scottish same-gender couples gained equality in adoption and fostering. In 2014, same-gender marriage was legalised. In 2018, the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018 was passed.

Most recently, in 2021, Scotland introduced LGBT-inclusive education in our schools—a world first. I wish that I had had that growing up in the late 1970s and the 1980s. I ask members to imagine how the landscape would have differed for so many people. Now, at last, LGBT-inclusive education will change the landscape for so many more who are to come.

We have improved the rights of LGBT people in Scotland, but we also need to create a cultural change in society. Having all the good laws in the world is all well and good, but we also need to address the unwarranted moral panic that is going on in the UK right now, particularly towards trans people. I will explain the term "moral panic" for

anyone who is unfamiliar with it. It is a situation that occurs in society when media reporting creates a folk devil out of a particular social group—often a minority or already marginalised people. It is described as a moral panic because it is based on an outraged sense of offence, although the information that prompts said offence is limited, vague or simply untrue.

The term "folk devil" refers to a group whose commonality has become stigmatised by society and which has become the target of adverse comments and behaviour, just as my mum and many other lesbian, gay and bisexual people in the 1980s were demonised and met with suspicion by powerful public figures, politicians and the media. Sadly, in recent years, I have recognised the same patterns of discrimination towards LGBT-identifying people, and particularly towards trans people, as the Scottish Government has sought to simplify an administrative process—in other words, to reform the Gender Recognition Act 2004.

The current rise in LGBT hate crimes is testament to that pattern and to the need for culture change. We, as citizens and community leaders, have a responsibility to have zero tolerance—otherwise, we become enablers of culture change to the contrary, and not just in terms of stagnation of rights, but in terms of rolling back rights that have already been fought for. It is incumbent on all of us to act and to speak up for what is right. It is especially incumbent on cisgendered heterosexual people to stand by LGBT friends, family, colleagues and loved ones so that the only culture change in our society is towards acceptance.

It is important that we take lessons from history so that, in the future, we ensure that those lessons have been learned. What we do in Parliament is not only important for the LGBT+ community in Scotland; it also sets an example for other countries and LGBT communities worldwide. We should be proud of all that Scotland has done in leading the way in the fight for LGBT+ equality. We should never underestimate the power that our actions and words here can have in the rest of the world. The world is watching—now it is time for us to lead.

I take the opportunity to reaffirm my commitment to improving LGBTQ+ rights and inclusion, particularly as we move forward with reforming the GRA. Also, importantly, we need to improve healthcare outcomes for trans people. Let us go further and do more.

Finally, I will speak directly to every LGBTQIA+ person who might be listening. Whether you are out and proud or yet to make that journey, I say to you that there is absolutely nothing wrong with you, but there is a lot wrong with the world in

which we live. Know this: I will, for my part, do everything that I can to create the cultural change that is needed to ensure that Scotland is not only a country where it is safe for you to live true to yourself, but one that leads the world by example.

17:57

**Pam Duncan-Glancy (Glasgow) (Lab):** I thank my colleague Karen Adam—who, like me, has long been a proud and unwavering ally of the LGBT community—for securing the debate and allowing us the opportunity to reflect on the past, present and future of LGBT rights and the journey that has been taken to get us to where we are.

It is hard to reflect on the progress that we have made without talking about my party's contribution in getting us there. As I am sure my colleague Paul O'Kane will say, no party has advanced or promoted the rights of the LGBT+ community as much as the Labour Party. The Labour Party has been at the front and centre of representation. Maureen Colquhoun was the first LGBT+ MP and Chris Smith the first openly gay MP. Ben Bradshaw and Stephen Twigg, who were elected on the same night in 1997, became the first MPs to have been selected and elected while standing as openly gay candidates. Dame Angela Eagle was the first out lesbian to serve as a UK Government minister. The bravery of those politicians in putting themselves forward and then fighting the fight once they got there is the reason why, today, LGBT MPs sit right across the UK Parliament chamber.

In Scotland, Kezia Dugdale was one of the first openly gay party leaders and, during the time of her leadership of the Scottish Labour Party, another openly gay woman, Ruth Davidson, led the Scottish Conservatives. It was said at the time that the Scottish Parliament was

“the gayest Parliament in the world.”

That time in Scottish political history might be clouded by the intense political debate that surrounded it, but I am sure that, one day, we will look back and recognise how pivotal a moment it was.

In this new parliamentary session, I am proud to make my contribution alongside my good friend Paul O'Kane—who is the first openly gay man to be elected as a Scottish Labour MSP—and to see the positive trend of LGBT representation continue in Parliament. We cannot underestimate the importance of people seeing others just like them in order for them to know that they, too, can be in the room. I know that myself, only too well.

Sexuality and gender should never be barriers to people's progression or achievements but, sadly, too often they are, so we cannot be

complacent, even in Scotland, where we pride ourselves on being progressive. We are still far behind my vision of being the best place for LGBT+ people to grow up.

Sexual orientation is still the second most commonly reported motivator of hate crime, and the figure has been rising over the past 10 years. One in five LGBT people has been the victim of hate crime that was motivated by their gender identity or sexual orientation. For trans people, the figure jumps to almost half.

The fights that have been won are many, but there are many still to fight. As I have done before, I commit today to standing shoulder to shoulder with the LGBT community through the battles that lie ahead. Yesterday, we learned that the Scottish Government intends, finally, to introduce a bill next week to reform the Gender Recognition Act 2004. It is long overdue, but I stand ready with my colleagues to support reform and to scrutinise the bill to ensure that it delivers the change that is needed, so that transgender people no longer have to endure intrusive, degrading and medicalised intervention just in order to identify as being the gender that they are.

However, I say to the cabinet secretary that in delaying such action the Government has created a vacuum that has allowed fear and ignorance to prosper. Through all the discussions that I have had about the proposed legislation, it has become clear to me that the delay has allowed people's imaginations to run wild; it has allowed them to imagine that reform is something that it is not, and it has allowed a narrative to build that frames the rights of trans people as a threat to the rights of women, as if those two things were mutually exclusive.

Meanwhile, the number of hate crimes against trans people has been rising: indeed, the number has risen significantly since 2016, when the proposals for the bill were first floated. I know that the cabinet secretary shares my frustration at the situation, and I hope that in the weeks ahead she will do all that she can to settle concerns, correct misunderstandings and move forward with the legislation in a way that protects trans people from further harm or abuse.

I started my speech by celebrating the importance of the progress that has been made and the importance of representation. I know that all of us who will speak in the debate want to be on the right side of history, which means unapologetically and unequivocally standing up for and protecting the rights of all LGBT people in Scotland. I, for one, will do all that I can as a Labour member to achieve that.

18:02

**David Torrance (Kirkcaldy) (SNP):** I congratulate Karen Adam on securing this debate, and I also want to say that it is great to have Christina McKelvie back. She has been sorely missed by us all.

I am honoured to participate in this debate marking LGBT history month 2022 and to have this opportunity to reflect on the LGBT community's past and present, celebrate LGBT progress and address the injustices that far too many experience around the globe. Every February, the UK comes together to celebrate the history of its LGBT+ citizens and to raise awareness of the on-going issues that are still faced by the LGBT+ community.

The theme of this year's LGBT history month is "blurring borders: a world in motion". Scotland quite rightly prides itself on being one of the most progressive countries with regard to sexuality and gender identity issues, and it now seems incomprehensible that until 1980 homosexuality between men was still illegal. I am extremely proud of the Scottish Government's work in not only progressing equality but righting historical wrongs, and the passing of the landmark historic sexual offences legislation was a momentous step and a very proud day for this chamber that I will not forget. Although it can never erase the hurt, injustice and trauma that was caused to thousands of men, it sends a very clear message that the laws in question were unjust, morally unfair and discriminatory and that this Government and the people of Scotland recognise the value, diversity and culture of our LGBT+ community.

We have the most progressive and extensive equal marriage legislation, equal access to adoption and IVF for same-sex couples. We have also reformed blood donation rules to replace the deferral period for some gay and bisexual men with individual risk assessment, regardless of sexual orientation, which has allowed thousands of gay and bisexual men to donate blood for the first time.

We were the first country to host the transgender and intersex conference, bringing people from across the UK together to work on and improve transgender and intersex equality, and we recently became the first country in the world to embed LGBT+ inclusive education in our schools to ensure that learning about LGBT+ history and culture is not restricted to one month of the year.

However, as we stand here today celebrating the inclusive and diverse country that we are all lucky to live in, we cannot ignore the fact that homosexuality is still criminalised in more than 60 countries around the world. The international focus

of this year's history month shines a spotlight on what an equal world of LGBT people would really look like and how we can work together to achieve it.

A study by the Yale School of Public Health identified a "global closet" and reported that an estimated 83 per cent of those who identified as lesbian, gay or bisexual keep their orientation hidden from all or most of the people in their lives. That may sound unimaginable to us, but we should consider that, in some countries, homosexuality continues to be punishable by imprisonment or forced labour, and revealing one's true self can often be a matter of life or death.

In a blog written for LGBT history month, Leanne MacMillan, who is Stonewall's director of global programmes, speaks of the difficulties that are faced by those who seek to escape legal discrimination, entrenched homophobia and heteronormativity. She says:

"Our vision is of a world where everyone is free to be ourselves—but the truth is that in many areas of the world, simply being LGBTQ+ puts your life at risk ... We know that nobody would leave their home country—risking their lives and livelihoods, and leaving behind the world they built for themselves—unless they had no other option.

The journeys they embark upon to reach safer shores are gruelling and fraught with risk. And the reality is that when—or if—they reach sanctuary, the challenges are far from over ... The trauma refugees experience before, during and after fleeing their home countries is hard to comprehend for those of us who have always lived in relative safety."

Make no mistake: it is not just the laws that need to be changed. We know that, even in countries in which equal laws exist, lesbian, gay, bi and trans people continue to face discrimination on a daily basis. People often find themselves excluded or facing verbal and physical abuse at work, in schools, in sport or in their local communities.

Love comes in many forms. It is our duty to stand up and challenge discrimination and end injustice based on sexual orientation and gender identity whenever and wherever we see it.

18:06

**Tess White (North East Scotland) (Con):** I am delighted to speak in this members' business debate, and I thank Karen Adam for giving MSPs the opportunity in the chamber to celebrate and reflect on LGBT history.

Each year, LGBT Youth Scotland creates a theme for LGBT history month. In February 2022, the theme is "blurring borders: a world in motion". That challenges us to reflect on the journey towards equality around the world and the pace of change in different countries.

That theme has particular resonance for me. For a human resources director, a key consideration in moving people and their families around the world for work is the kind of culture and environment that they will be living and working in. Time and again, that brings into sharp relief the fact that the rights that we have in the UK are not universally shared. That is important for the LGBT community, because there are 69 countries in which it is still illegal to be gay. In Brunei, Iran, Mauritania, Saudi Arabia, Yemen and the northern states of Nigeria, the punishment is the death penalty. In those countries, LGBT people live in constant fear of being outed. That is a sobering reminder that, although the UK and Scotland have made much progress, there is much progress to be made elsewhere.

Even in countries in which LGBT people are no longer criminalised, marriage equality remains an issue. Same-sex marriage is legal in 31 countries, but it is unlawful in many more. That means that gay couples often do not have the same rights in law that heterosexual married couples have. That injustice was painfully and poignantly explored in the sequel to the film, “If These Walls Could Talk”, when Edith was unable to be at the bedside of her partner, Abby, as she died and was asked by Abby’s family to leave the home that they had shared for 30 years. That is still the awful reality for many same-sex couples who are unable to marry.

The Netherlands was, of course, the first country to legalise gay marriage, in 2001. The Marriage (Same Sex Couples) Bill passed in England and Wales in July 2013. David Cameron described that as one of his proudest moments. Scotland followed suit in December 2014. I still remember seeing pictures of the incredible celebrations of love that followed the change in the law. In Scotland and the UK, we have made great strides towards equality, but there is still much more that must be done.

Next week, the University of Dundee will host an event commemorating Jonathan Leslie, who took his own life in Stonehaven two years ago, following intense homophobic harassment. Jonathan’s passing is a tragic reminder that we cannot be complacent and that equality in the law does not always mean equality in the eyes of another.

18:10

**Maggie Chapman (North East Scotland) (Green):** I add my voice to the voices of those who have already welcomed Christina McKelvie back to the chamber.

I congratulate and thank Karen Adam for lodging the motion and securing the debate. It is

important to have the opportunity to stand in solidarity with LGBTQI+ people. That is what allyship is all about. Scottish Greens are proud to have always whole-heartedly supported LGBTQI rights and to have been part of the many campaigns that we have already heard about.

LGBT history month matters. It gives us the opportunity to celebrate diversity and to recognise and embrace difference. It also allows us to celebrate the victories that have been won. It is not that long since homosexuality was a criminal offence in this country. This Parliament should be proud of the role that it has played in enhancing the rights of LGBTQI+ people: abolishing section 28, bringing in equal marriage, supporting trans-inclusive education, enabling gay men to give blood and much more. I recognise that all those victories were the result of tireless campaigning by LGBTQI+ people and their allies.

It is right that we remember those victories and those who fought for them. It is also right that we remember those who suffered the consequences—the trauma, the violence, the harm and the grief—that are associated with participating in those fights, or with living in the world before they were won. That also means that we can learn more about the LGBTQI+ histories that have been ignored, erased or altered in the past because of prejudice and bigotry. LGBTQI+ identities have existed for as long as humans have, but they are seldom mentioned in history books. Erasing people’s lives is not okay. This month, we can learn what we have missed out on because of that erasure.

Making those identities visible now matters deeply. Letting people see themselves reflected in society is important. Education is a key part of that, but so is ensuring that our leaders, workplaces, culture and much more reflect the diversity of our society.

It is important that we take a moment to remember all those who are still fighting for equality and access to rights. Too many countries around the world still criminalise same-sex relationships and research shows that trans and gender-diverse people face disproportionate hate crime and violence. We know that recent evidence shows that there is rising victimisation and targeting of people in Scotland, based on their gender and sexuality. None of that is inevitable and, together, we can change it.

I was delighted to take part in Dundee Pride and Shaper/Caper’s OutFest question time last weekend, along with my colleagues Joe Fitzpatrick, Mercedes Villalba and Willie Rennie. I would like to think that, across the chamber, we can agree that organisations such as Dundee Pride, and Four Pillars in Aberdeen, do vital work supporting LGBTQI+ communities. Their support,

campaigning and activism is not for February alone, but for every day of the year. I pay tribute to them for their tireless work.

Ultimately, LGBT history month allows us to stand in solidarity with the LGBTQI+ community, to learn how to be better allies and equalities campaigners and to pay homage to those who have paved the way for the rights and freedoms that we enjoy today. It reminds us of those who were erased, ignored and murdered because of their identity. It requires us to not be complacent, but to keep fighting and to keep challenging discrimination and inequalities in power, wherever they occur. We still have much work to do.

**The Deputy Presiding Officer:** I call Alex Cole-Hamilton, to be followed by Jamie Greene. [*Interruption.*] Actually, I do not call Alex Cole-Hamilton, I call Paul O’Kane—I thank the clerk for keeping me in order.

18:14

**Paul O’Kane (West Scotland) (Lab):** Thank you, Presiding Officer. I apologise to you and to colleagues, as I will have to leave before the conclusion of the debate.

I welcome Christina McKelvie back to Parliament. I thank Karen Adam for bringing the debate to the chamber and pay tribute to her as an ally—along with many other colleagues who are participating in the debate—of LGBT+ people.

I am pleased to be able to speak in this debate to celebrate LGBT+ history month, and I am pleased to use the word “celebrate”, because this month should be a celebration. All too often lately, it has felt as though the rights of many LGBT+ people, and the hard-won progress that has been made over many years, have been up for debate.

According to Crown Office and Procurator Fiscal Service data on charges reported, the number of crimes that were aggravated by sexual orientation prejudice in Scotland rose by 32 per cent between 2018-19 and 2020-21, while the number of hate crimes aggravated by transgender identity prejudice has doubled since 2015.

The Council of Europe has recently pointed to the United Kingdom as being one of several countries where the advances of recent years are “under threat” amid

“extensive and often virulent attacks on the rights of LGBT+ people”,

and, tragically, too many LGBT+ people take their own life or contemplate doing so.

I have spoken in the chamber before about my young self and the fears that I felt when I was growing up, but I have also reflected on the amazing progress that has been made and the

confidence that has been given to me by people across the country—in this place, in particular—who stood up and spoke out.

I am immensely proud of the record of my party in relation to decriminalisation; equalising the age of consent; lifting the ban on lesbians, gay men and bi people in the military; repealing section 2A, which is commonly known as section 28; the Gender Recognition Act 2004; civil partnerships, which paved the way for equal marriage; adoption rights; and the Equality Act 2010.

To any young LGBT+ people who are watching this debate, I want to say this: you are not alone. You might be worried just now. The world around you might seem terrifying. All that you might see and read might sometimes seem like a never-ending onslaught of anti-LGBT+ rhetoric, but it gets better. It will get better. There are people in this place who are standing up and speaking out for you, and who are ready to defend all the progress that we have made and to move forward once again on the journey for equality.

To quote my esteemed colleague in the House of Commons, Dame Angela Eagle MP:

“We are not going to get back in the closet, or hide, or be ashamed of the way we are.”—[*Official Report, House of Commons*, 25 June 2019; Vol 662, c 616.]

We will help to write the next pages of our history, and the young people of today will pick up that torch and carry it on.

There is always more to do. There is more to do in continuing to make progress on inclusive education; banning the horrendous practice of so-called conversion therapy; reforming the Gender Recognition Act 2004; and improving access to healthcare and services for trans people.

As we have heard, the theme of LGBT history month 2022 is “blurring borders: a world in motion”. We are invited to reflect on the situation beyond our own borders. Given the challenges and perils in our world at the moment, it is so important that we do so.

Our debate yesterday on the Nationality and Borders Bill made me think of the LGBT+ refugees around the world who are fleeing persecution, violence and death in their home countries. The unfolding situation in Ukraine and the fears for the progress and rights of LGBT+ people and their safety should be at the forefront of the minds of all of us.

The history of LGBT+ people is a global story. It is a story of solidarity, of understanding and of love. I am inspired by so many Scots who have led the way and by amazing organisations, such as Stonewall Scotland, LGBT Youth Scotland, Time for Inclusive Education and the Equality Network. I

am also inspired by global figures, such as Harvey Milk. I have a quote of his on my desk upstairs:

“Hope will never be silent.”

Members should know that hope will never be silent for as long as I stand in this place and for as long as I have my voice.

**The Deputy Presiding Officer:** I now call Alex Cole-Hamilton.

18:19

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I am glad that you called Paul O’Kane before me, Presiding Officer. That was an excellent contribution. I am particularly grateful to him for quoting the words of Harvey Milk.

I welcome Christina McKelvie back to her place. It is great to see her and to have her sparkle back in the chamber.

I thank Karen Adam for bringing this important debate to the chamber, and for her moving account of growing up with gay parents. It was a beautiful account of how far we have come, and I thank her for it.

I also thank the many organisations that have contributed briefings today for the work that they do right across the board. In particular, I thank them for the work that they do with LGBT young people to help them find themselves and their place.

In his iconic novel, “Giovanni’s Room”, gay author James Baldwin makes a powerful statement about love:

“love him and let him love you. Do you think anything else under heaven really matters?”

At the time, his words resonated with millions of people who felt that their love was invalid because of the gender of the person whom they loved.

It has been a long march towards LGBT equality in Scotland, and although we have come far, there is still work to be done. We have heard lots about that this evening. I am sure that everyone feels and knows that they are valid and accepted, no matter who they are or how they love, but that does not happen everywhere.

LGBT history month rightly reminds us of some of the key moments on that road to equality. Gay people in Scotland long lived under the shadow of the Criminal Law Amendment Act 1885, which made male sex a criminal offence carrying a two-year prison sentence. That was not fully overturned in Scotland until 1981. In 1988, as we have heard several times already, section 28—or section 2A—was introduced to prevent teachers from even talking about LGBT+ issues in schools. That caused many vital support groups to close as

a result, with local authorities fearing that they might be in breach of the law if they allowed them to continue. As we have heard, we only got rid of section 28 in 2000.

We have been on quite a journey towards rights for LGBT people in this country. As a nation, we are now, rightly, proud to hold the mantle as

“the best country in Europe for LGBTI equality”.

One of my proudest moments during my time in Parliament was when I sat alongside Christina McKelvie on the Equalities and Human Rights Committee in the previous session. We stewarded through Parliament a bill that would extend a formal apology from the state to all gay men, who had long had to bear the stain of a criminal record for being intimate with the person whom they loved—a crime that is no longer an offence.

Although we have come a long way and we should, rightly, be proud, we must not forget what is still to be done. LGBT people still face a number of barriers. They pop up right across our society, from healthcare to education. Some of those barriers are blatant; some are more subtle. However, they all cause damage and harm to people on a daily basis and they need to be addressed. That is why my party recommends that steps should be taken to help healthcare professionals and social care workers to recognise LGBT-specific issues, particularly around trans health, and how those need to be addressed. It is also time for us to redouble our efforts on LGBT-inclusive education.

The final frontier of LGBT equality is in trans rights. In the coming months, Parliament will debate GRA reform. It is right that we use that opportunity to hear evidence, reflect and scrutinise the legislation that passes through the chamber, but the GRA does need to be reformed. It is harming people every day. We must ensure that we improve laws so that they will better support trans people to live their lives free from discrimination.

I end with a quote from Anthony Venn-Brown, a survivor of conversion therapy, which members across the chamber have called to be banned.

“The richness, beauty and depths of love can only be fully experienced in a climate of complete openness, honesty and vulnerability.”

Although I am proud, as a Liberal Democrat, to be a liberal, it is my heartfelt belief that everyone should be empowered to be who they truly are, fully, and to love who they love, freely.

**The Deputy Presiding Officer:** Due to the number of members who wish to speak in the debate I am minded to accept a motion without notice, under rule 8.14.3, to extend the debate by

up to 30 minutes. I invite Karen Adam to move the motion.

*Motion moved,*

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Karen Adam*]

*Motion agreed to.*

18:24

**Jamie Greene (West Scotland) (Con):** Do not worry—I will not speak for 30 minutes.

I start by thanking Karen Adam for the debate. It is great to see her wearing her rainbow braces. I remember a time when we were asked to remove rainbow ties rather than wear them in the chamber, because they were a campaigning symbol. How times have changed and, indeed, how this Parliament has changed. I declare an interest as the founder and co-convener of the Parliament's first LGBTI cross-party group. I am pleased to welcome new members in this session of Parliament to that group.

The LGBTI community is not one homogenous group; we are all different. We have different beliefs, backgrounds, views and, as we can see, politics. We are different, but we are the same. We have come through the same history—the journey to where we are today and, my goodness, what a journey it has been.

Offences under the first Buggery Act of 1533 were punishable by death. Today, people can still be put to death for being gay. In 1885, the Criminal Law Amendment Act made same-sex acts illegal, and that is still the case in 70 countries today. In Scotland, it took until 1980, the year in which I was born, before we reversed those draconian laws. Full age of consent equality did not take place until 2000, and it is hard to imagine that we are having today's debate against a context in which it was illegal for me to be with my then partner.

Progress is welcome. I was proud to be part of the

“gayest Parliament in the world”,

as Pam Duncan-Glancy put it. However, I would not be standing here making my speech if so many had not fought for my right to do so. Those include the US gay liberation front, which rose from the ashes of the Stonewall riots, and other groups such as OutRage!, OLGA, DAFT, the Sisters of Perpetual Indulgence and the Lesbian Avengers. Those are not phrases that we often hear in Parliament, but there was nothing amusing about what they were doing, which was courageous, gritty and dangerous.

I could name many pioneers and revolutionaries, but there are too many to list.

However, I will single out one—Peter Tatchell. I hope that my praise is not unwelcome, because I speak not as a politician but as a gay man who is thanking him personally. He deserves my thanks. He stood as a Labour candidate for Bermondsey in 1981 in a disgusting campaign in which he faced blatant homophobia. That happened against the backdrop of section 28, the most shameless episode in our political history. He and I might disagree on many issues, but his direct action undeniably contributed towards progress here and elsewhere.

More recently, the world was shaken by the murder of Matthew Shepard in 1998, which involved horrific abuse and torture. I will not even say the words to describe it, for fear of the *Official Report* having to write them down. Are we still shaken by such events? Are we shaken by the murder last year of Samuel Luiz, a 24-year-old young man who was beaten to death in Spain, sparking national outrage and protests right across Spain? What about the death of Dr Gary Jenkins, who was beaten to death in Cardiff around the same time? The closed-circuit television picked up his last moments. He could be heard crying out, “Please help me”, “Stop it” and “Why?” Why indeed? Where was the outrage after Gary's death? Where were the national protests? Where are the protests about the fact that one in 10 young LGBT Scots have tried to take their own life? Where are the protests in this country about the fact that hate crime against LGBTI people is on the rise? Sometimes, I wish that I had the guts that Peter Tatchell had in the year in which I was born.

The battles that we now face are no less divisive, no less difficult, no less ugly and no less important. First, we must ban conversion therapy—we must do it somehow. We must do it in a way that has no unintended consequences for the rights and freedoms that we all enjoy, but neither should the ban be watered down and diluted under the pretence of protecting those rights.

Secondly, we must reform gender recognition in such a way that no one is wheeshed, but that asks each and every one of us to put ourselves in the shoes of a young trans person in Scotland right now, who will wait 44 months for treatment. I say to people: walk a mile in someone's shoes, then judge them.

The same arguments that were used in the bygone debates against consent, gay marriage, section 28 and gay adoption are being churned up again, wrapped in sensibility and coated in a modern middle-class outrage, but they are no less visceral.

I close with a plea to each and every one of us—a plea for respect. When we lose respect for

one another, we lose the argument. When we lose the argument, we lose hope, and, sometimes, hope is all that we have.

18:29

**Paul McLennan (East Lothian) (SNP):** I thank Karen Adam for bringing the debate to the chamber. It is also great to see Christina McKelvie back in the chamber, and I look forward to working with her in the months and years ahead.

The speeches so far have been absolutely fantastic and very moving. I thank TIE and LGBT Youth Scotland for the briefings that they provided for the debate. In its briefing, LGBT Youth said that its vision is for Scotland to be the best place to grow up for lesbian, gay, bisexual, transgender and intersex young people. That is a challenge to us all.

LGBT history month takes place in February every year and offers the chance to connect and reflect on the past and present of the LGBT community. Maggie Chapman made the point that it is not just about the debate today—we have to live this every single day. We all have a role to play in driving equality forward and we have to remember that.

I met members of LGBT Youth about two or three weeks ago, and I was moved by the work that they do. It is the national charity working with LGBTI young people aged 13 to 25 across Scotland. It was great to chat with them and hear about the work that they are doing and the impact that that has on individuals. They deliver face-to-face and online youth work services, the LGBT charter programme for schools and organisations, and youth participation work to make sure that young people's voices are heard by decision makers. We celebrate the important work that they do.

As others have touched on, this year's theme is "blurring borders: a world in motion". This year, we are invited to think beyond borders. As we have heard, we are lucky to live in Scotland. In other parts of the world, people are persecuted for their sexuality—just for who they are. We have already heard that Scotland has made great strides towards equality, but the journey has been made at a slower pace in some parts of the world, and faster in others.

In the discussion that I mentioned earlier with members of LGBT Youth, they talked about how a lot of young people have been denied the opportunity to learn about themselves and their history, and to see people like them reflected in their school curriculum.

Last week, I was heartened by the support for GRA reform. A large majority support reforms. I look forward to that debate next week.

From September 2021, the Scottish Government began to implement LGBT-inclusive education across all our schools. That means that young people across Scotland will learn about LGBT history: notable moments, key figures and role models—we can be those role models. They will also be learning about prejudice and discrimination, and rights, and they will be seeing in their learning representations of diverse families, including same-sex parents and relationships—Karen Adam spoke about that earlier.

The purpose of LGBT-inclusive education is to take a proactive, educational approach to tackling prejudice and the bullying that LGBT young people suffer. I had not heard the figure before, but it was mentioned that one in 10 gay people have talked about taking their own lives. That is a horrendous figure. We should be doing everything that we can to make sure that no gay person feels that they are in that position.

All young people deserve to see themselves reflected in their learning at school. Learning about LGBT past and present figures at school provides LGBT young people with role models, makes them feel valued and tells them that they should be confident and proud of who they are. LGBT history month can be a powerful opportunity for reflection and awareness raising, but learning about LGBT history should be all year round, not only in February.

Inclusive education is not only impactful for LGBT young people but important for the wider school community. It teaches empathy, improves understanding of prejudice and discrimination, and builds knowledge about diversity and rights in our society.

The pupil workshops for primary and secondary schools that are delivered by TIE cover themes of challenging homophobic language. Far too often, we hear throwaway comments that affect and hurt people. Analysis of TIE's work found that 93 per cent of pupils who participated in the school workshops had a stronger understanding of the impact of homophobic, biphobic and transphobic bullying behaviours and prejudice than before—that is just since September. The analysis also found that 82 per cent of pupils said that they would no longer use pejorative language, derogatory terms and slurs that they commonly used before, such as, "That's so gay." Pupils who participated said that they had learned that

"It's ok to be LGBT and you shouldn't be scared to tell anyone"

and

“to not bottle things up”.

I encourage all of us to come together and reflect on the power of people and the strength of solidarity across borders in support of our LGBT community. I am proud to do that.

**The Deputy Presiding Officer:** Michael Marra will be the last speaker before I ask the minister to respond to the debate.

18:33

**Michael Marra (North East Scotland) (Lab):** I want to relate the story of one gay Scottish man. However, in reality it is the story of one letter, which was written by Harry Whyte, a gay working-class Edinburgh man, born in 1907. He was the son of a house painter and he made his living as a journeyman journalist. As such, writing was his daily trade. However, writing this one letter on his typewriter was an act of breathtaking bravery. In writing it, he risked almost certain death.

The letter that Harry Whyte wrote from his Moscow desk in May 1934 was addressed to one Joseph Stalin—it was a letter that Stalin duly read. Harry was a communist—a far more common thing for Scots in the 1930s than it is today. By 1934, at the age of 27, he worked in Russia, at the *Moscow Daily News*. On March 7 of that year, the Soviet criminal code was revised to prohibit male homosexuality, with up to five years' hard labour as a penalty. Harry Whyte was outraged, and I have today placed in the Scottish Parliament information centre a copy of the letter that he wrote in response.

Any members who care to read it will see that this letter to the supreme leader is in a very formal Soviet style. It is a model of discourse that would have been well known to many Scots, a way of writing and speaking that we can hear only faint echoes of in how we discuss life, economics and politics today. We might be able to see it, perhaps, in the words of Mick McGahey and Jimmy Reid.

Harry Whyte's letter analyses the economic weight of a non-reproductive population and speaks the language of socialist state jurisprudence, but at its core is an impassioned plea for equality written under the threat of death. He writes:

“I have always believed that it was wrong to advance the separate slogan of the emancipation of working-class homosexuals from the conditions of capitalist exploitation. I believe that this emancipation is inseparable from the general struggle for the emancipation of all humanity”.

He then argues that homosexuality is natural and cannot be reversed, saying that the law in question was

“absurd and unjust from the viewpoint of science, which has proven the existence of constitutional homosexuals

and has no means at its disposal to change the sexual nature of homosexuals.”

Harry Whyte was quite clear a century ago with regard to the science and morality of conversion therapy.

This is certainly a young man's letter, in its certainty, self-confidence and righteous fervour. To Harry Whyte, he was gay and a socialist, and both were core to his understanding of who he was and his place in the world. The reality of his homosexuality eventually led to his better understanding of the nightmare fictions of Stalinism, the horror of communism and the terror of the absolute power of the state over the individual.

In perhaps the letter's most startling passage—indeed, it took my breath away—Harry Whyte quotes Comrade Stalin's own words from the 17th party congress against him. He writes:

“one cannot require that all people should have identical needs and tastes, that all people live their daily lives according to a single model. [...]

To conclude from this that socialism requires the egalitarianism, equalization, and leveling of the needs of society's members, the leveling of their tastes and personal lives, that according to Marxism everyone should wear identical clothes and eat the same quantity of one and the same dishes, is tantamount to uttering banalities”.

What an act of defiance from one man—one Scot—in Moscow. It brought to my mind the shadow life of Shostakovich, who lived in fear of the music in his mind and of suffering for giving it life on a page in Russia. Harry Whyte just wrote it all down.

Stalin wrote on the letter these short words:

“Archive. An idiot and a degenerate. J. Stalin.”

Harry Whyte escaped with his life—just—but not with his communism.

Why does this history matter? Well, it matters tonight to those thousands of gay men and women in Kyiv and across Ukraine. Vladimir Putin is calling on that history—a history of nationalism, populism and a poisonous strongman masculinity—and his campaign of state-sanctioned violence and intimidation of gay men and women in Russia calls to a folk memory of communism. Today's dictator waging war in Europe again calls to history.

Harry Whyte saw Joseph Stalin, and he would have seen Vladimir Putin. We know who Vladimir Putin is, and Harry Whyte would have known, too.

**The Deputy Presiding Officer:** I call the minister, Christina McKelvie, to respond to the debate. You have around seven minutes, minister.

18:38

**The Minister for Equalities and Older People (Christina McKelvie):** Thank you, Presiding Officer. I extend my grateful thanks to you and the other Presiding Officers for your warm welcome back to the chamber, and to everyone who has hung about the night and who has been sending me messages to welcome me back. I am back in my place, I am so pleased to be here and I am so grateful for the warm welcome. You will never understand how grateful I am—but I am. *[Applause.]*

I am delighted to close what is a perfect debate for me to come back to, what with its focus and the thought-provoking contributions from members across the chamber. In his contribution, Paul O’Kane reminded us that the debate is a celebration, in which we should celebrate the progress that we have made, while not forgetting the progress that we have still to make. All members who have spoken in the debate have highlighted the great progress that we have made as a country and have reminded us that it is a case not just of winning rights but of keeping them. We still need to do more to make Scotland a truly inclusive country for all LGBTI people.

Karen Adam, Pam Duncan-Glancy and Maggie Chapman reminded us that, since its inception in 1999, the Scottish Parliament has always sought to advance the rights of LGBTI people. LGBTI equality is a priority for me as a minister, as well as being very close to my heart as an individual.

It is vital that equality is achieved not just here in Scotland, but beyond. As we have heard, this year’s LGBT history month theme is “blurring borders”, which encourages us to come together and consider the experience of LGBT people across the world.

By eloquently telling us the story of Harry Whyte and his letter to Stalin—what a brave man Harry Whyte was—Michael Marra reminded us of the dangerous battles that were fought for equality and those that have still to be fought. I am thinking, in particular, of the current situation involving Russia and the worries of the people of Ukraine. The fact that we are still fighting those battles 100 years on shows that we have work to do.

David Torrance gave us an important reminder that we should celebrate our achievements as a nation and be proud of Scotland as a place where the rights of LGBTI people are realised and where everyone’s identity is respected and celebrated. We know that that does not happen all the time in every sphere, but we need to keep making progress so that that is the case.

David Torrance also reminded us of the precarious and sometimes dangerous situations

that LGBTI people around the globe find themselves in, even to this day. We must continue to work hard to ensure that no one is denied rights or opportunities because of their gender identity or sexual orientation, and I believe that our policies and actions at home should be reflected on the world stage.

Tess White gave us stark figures on the countries around the world where being LGBTI is still a criminal offence and mentioned that, in some cases, the imposition of the death penalty is the action that is taken.

Scotland has received international recognition for its progressive approach to LGBT equality, which is down in no small part to the exceptional work of the LGBT community, its organisations and its activists, who have fought for equality and human rights over the past decade, and across parties across the chamber since 1999.

LGBT history month is a cornerstone of that work. It is an opportunity for us to celebrate how far we have come and the lessons that we have learned along the way, and to understand the obstacles and the challenges that still lie ahead of us.

As many other members have done, I thank LGBT Youth Scotland for co-ordinating this year’s history month. It is a key event in our calendars, and one that I look forward to every year. This year, there has been a large number of events online and in person across the country throughout February, which will culminate, this Friday, in the annual fundraising purple Friday. I bought one of those fabulous LGBT Scotland T-shirts that have a Highland cow with a rainbow fringe on them, and I will wear it on Friday.

I say to Maggie Chapman that Dundee pride is wonderful; I am looking forward to going back to that.

I want to say a wee bit more about Scotland’s achievements. Scotland wants to remain on the right side of history on this issue. We want to continue to set world-leading examples, whether on equality, protection from discrimination or inclusion. I believe that Scotland has embraced that responsibility for many years. Scotland has led the way on marriage equality, by legalising civil partnerships in 2005 and introducing same-sex marriage in 2014; the night I voted for that was a proud moment.

The Parliament’s passing of the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018, to which Alex Cole-Hamilton referred, pardoned men who had previously been convicted of same-sex activity under obsolete laws that have now been repealed. As part of the bill process, the Equalities and Human Rights Committee took evidence in private from some

amazing men who had convictions. They just wanted to make sure that the world would be a better place for following generations. It was great to hear from them, and the passing of that act was a brilliant piece of work.

We have talked about the work that we have already done, but there is much more to do. We must continue the work to recognise the important contributions that LGBT people and their movements have made throughout history. By promoting awareness of issues that are faced by the LGBT community, their importance will be properly recognised.

On inclusive education, I thank—as I always do—Jordan Daly and Liam Stevenson of the TIE campaign for their enduring commitment to inclusive education. It is vitally important that that effort starts with children and young people, as LGBT children can experience difficulties because of their sexual orientation or gender identity.

In September last year, we became the first country in the world to embed in its education system LGBT-inclusive education. Pam Duncan-Glancy and Paul McLennan said that we must work together to make Scotland the best place to grow up in. We can do that and live up to that aspiration; indeed, we must live up to that aspiration.

Many members have spoken about healthcare. We recognise the need to improve access to, and the delivery of, gender identity services. In December, we published a national health service gender identity services strategic action framework, which describes how we will fund work to address waiting times, multidisciplinary care and support for those who are waiting for access to services. I give a commitment to continue that work and to work with health colleagues.

Many members have raised the issue of gender recognition reform. Next week, we will introduce a gender recognition bill to improve the process for trans people to obtain legal recognition of their acquired gender. The Cabinet Secretary for Social Justice, Housing and Local Government, Shona Robison, will make a parliamentary statement on that. The proposals have led to discussion and debate. We know that there are people who support reform and people who have concerns. The bill will not introduce any new rights for trans people or change the protections that are provided in the Equality Act 2010. Our support for trans rights does not conflict with our continued commitment to uphold and advance women's rights and equalities. Although there is disagreement on those issues, it is vital that we work together to set a tone of respectful discussion. Jamie Greene spoke about that.

We have also committed to taking the necessary steps this year to end conversion practices in Scotland. Jamie Greene also raised that in his contribution. We are clear that those practices are abhorrent, harmful and discriminatory and that they have no place in our society. By the end of next year, we will introduce legislation that is as comprehensive as possible within our devolved powers in bringing about a ban. I am happy to work with anyone across the parties in doing that. We will establish an expert advisory group to support that ambition. Its membership will be finalised shortly, and I will let members know about that.

I want to touch on hate crime, which is another issue that has come up in the debate. Karen Adam spoke very eloquently about her mum's experiences, and she reminded us that hate against LGBTI people is still prevalent. We will work with key delivery partners and stakeholders to publish a new hate crime strategy that will build on progress that has been made in tackling prejudice in Scotland, and look to how we can better foster cohesion among a myriad of communities and social groups to confront the forces that seek to drive us apart. Although a rise in recorded levels of hate crime may reflect increased confidence in reporting such crimes to the police, hate crime is never acceptable and it will not be tolerated.

Maggie Chapman and other members have highlighted the rise in hate crime. Paul O'Kane reminded us of the Council of Europe report. Jamie Greene reminded us that one in 10 young people have said that they have considered taking their own life, and he asked us where the outrage is. We have to be the outrage.

In conclusion, we recognise that some people have reasons to doubt their representation in history or to feel left out of Scotland's story. All members who have spoken in the debate have highlighted the great progress that we have made as a country and have reminded us that it is a case not just of winning rights but of keeping them. We still need to do more to make Scotland a truly inclusive country for all LGBTI people.

LGBT history month provides us with an opportunity to reinforce the sense of belonging, representation and value that everyone has a right to feel. We have come a long way towards a more inclusive and equal Scotland in which everyone feels safe to be themselves, but all members have reminded us that there is still a lot to do. I am very sure that we will all play our part in the chamber.

I will finish with the words that Paul O'Kane reminded us of:

"Hope will never be silent."

Let the Parliament never be silenced while we do this important work.

*Meeting closed at 18:48.*



This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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