



OFFICIAL REPORT  
AITHISG OIFIGEIL

# Meeting of the Parliament (Hybrid)

Thursday 3 March 2022

Session 6



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Pàrlamaid na h-Alba

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## Scottish Parliament

Thursday 3 March 2022

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

### Business Motion

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

The first item of business is consideration of business motion S6M-03453, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a revision to today's business. I ask George Adam to move the motion.

*Motion moved,*

That the Parliament agrees to the following revision to the programme of business for Thursday 3 March 2022—

after

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

insert

*followed by* Ministerial Statement: Justice System Approach to Risk Management— [George Adam.]

*Motion agreed to.*

## General Question Time

11:41

**The Presiding Officer (Alison Johnstone):** The next item of business is general question time. In order to get in as many members as possible, I would be grateful for short and succinct questions and responses.

### World Book Day

1. **Gordon MacDonald (Edinburgh Pentlands) (SNP):** To ask the Scottish Government what plans it has in place to support world book day on 3 March 2022. (S6O-00812)

**The Minister for Higher Education and Further Education, Youth Employment and Training (Jamie Hepburn):** Today is the 25th world book day, which seeks to encourage children to explore the pleasure of books and reading. The Scottish Government supports the activity of the Scottish Book Trust, which, today, is promoting a range of activity to encourage a love of reading.

Literacy is foundational to every child's education, and reading is a fundamental skill for life, as well as a source of lifelong pleasure for many. To help young people to develop those skills, the Scottish Book Trust delivers the First Minister's reading challenge, the reading schools programme and the read, write, count campaign. Each initiative aims to positively impact on pupils' attainment by building and embedding reading cultures in schools, at home and in the community to support and nurture a love of reading for pleasure.

**Gordon MacDonald:** To celebrate world book day, many of the schools and nurseries across my constituency of Edinburgh Pentlands are encouraging their pupils to dress up as their favourite book character. I know that many young people will be excited to take part in world book day this year, given the impact of the pandemic on previous years' celebrations.

With the Scottish Government-funded bookbug programme also collaborating with the charity World Book Day, will the minister commit to continuing to support the bookbug programme, which has proven to provide a range of positive benefits for children and families across the country?

**Jamie Hepburn:** I recognise the excitement of the many children who are taking part in world book day activities today, not just in Mr MacDonald's constituency but across the country, including in my area. My son went off to school

today in his pyjamas, in line with his school's bedtime story theme to recognise the day.

Initiatives such as bookbug help to encourage an early love of books among children, while providing great opportunities for parents and their young ones to spend time together, playing, having fun and learning. In this financial year, we provided £1.66 million of funding for the Scottish Book Trust's early years programme, which provides a range of free book packs for every child in Scotland from birth to primary 1.

To support the day this year, the Scottish Book Trust is working in partnership with World Book Day to distribute vouchers to 2,800 early years settings in Scotland, alongside its explorer resource kits; to distribute world book day digital vouchers to families who receive extra support through the bookbug for the home programme; and to distribute copies, after today, of world book day books to a further 3,000 families via bookbug for the home.

Discussions with the Scottish Book Trust to grant fund the early years programme in bookbug in 2022-23 are currently under way.

### **Social Housing Waiting Lists (Central Scotland)**

**2. Mark Griffin (Central Scotland) (Lab):** To ask the Scottish Government how many households are waiting for social housing in Central Scotland. (S6O-00813)

**The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison):** The latest data suggests that, in 2019, an estimated 80,000 households across the 16 local authorities in Central Scotland were on a housing list or had applied for social housing in the previous 12 months. However, we know that that figure will include households who are already living in a social home, as well as households who are looking to access the social sector.

Ensuring that everyone has a warm, affordable home that meets their needs is a priority for the Government, which is why we are committed to delivering 110,000 new affordable homes by 2032.

**Mark Griffin:** Is the cabinet secretary aware of changes to the system of—[Inaudible.]—long-term empty or second homes in Wales, and has the Scottish Government considered giving local authorities in Central Scotland the powers to implement a similar scheme, which could reduce the number of long-term empty homes, raise additional funds to build social housing and reduce the number of families who are waiting for a home?

**Shona Robison:** I think that I caught most of that.

Tackling empty homes is a priority for the Scottish Government, and we have set out a range of actions in "Housing to 2040" to help make better use of what is essentially a wasted resource. We continue to invest in the successful approach of the Scottish Empty Homes Partnership, which has brought more than 6,000 homes back into use since 2010.

We will of course look at ideas that are brought forward in other places and are happy to look at what Wales is doing. However, we have existing measures, including, for example, the additional dwelling supplement, which second-home buyers pay, short-term let control areas for secondary letting and powers for local authorities to vary or remove the council tax discount on second homes.

We are already taking a lot of action, but I am happy to look at any other ideas that Mark Griffin or anyone else might bring forward.

**Kenneth Gibson (Cunninghame North) (SNP):** How many council houses have been built in Central Scotland under the Scottish National Party, and how many were built from 1999 to 2007 under Labour and the Liberal Democrats?

**Shona Robison:** Published official statistics on local authority new-build homes show that, in the Central Scotland region, which includes the Falkirk, North Lanarkshire and South Lanarkshire local authority areas, only 30 council homes were built between 1999-2000 and 2006-07, in comparison with 1,792 between 2007-08 and 2020-21. Since 2007, the Government has delivered 105,755 affordable homes across Scotland, more than 73,000 of which were for social rent, including nearly 17,000 council homes. I would have thought that everyone in the chamber would welcome that.

### **Shop Closures**

**3. Dean Lockhart (Mid Scotland and Fife) (Con):** To ask the Scottish Government what its response is to the recent PwC report showing that Scotland lost on average four shops a day in 2021. (S6O-00814)

**The Minister for Public Finance, Planning and Community Wealth (Tom Arthur):** We know that retail businesses have faced incredibly difficult trading conditions in the past two years, as a result of the global pandemic. That is why, since the start of the pandemic, businesses have benefited from £4.5 billion in support, and our non-domestic rates relief has saved businesses, including retailers, around £1.6 billion.

Last week, we announced an £80 million Covid economic recovery fund for local authorities and allocated a further £3 million to the city centre recovery fund to support local economies to recover. Our £10 million Scotland Loves Local

programme and city centre recovery task force are supporting local communities and retail businesses in our towns and cities to rebuild our high streets.

Our 10-year national strategy for economic transformation, combined with the up-coming retail strategy and town centre action plan, will strengthen the retail sector and ensure that Scotland maximises its economic potential and becomes fairer, wealthier and greener.

**Dean Lockhart:** I thank the minister for that reply, but it does not go far enough. The PwC report also shows that the number of shops in high streets across Scotland has declined in each of the past six years—going back to well before Covid. That is the worst performance in the United Kingdom. The Scottish Government said that it would publish its long-awaited retail strategy last year, but we still have not seen it. The Scottish Retail Consortium has called for

“a long term, coherent approach”

towards the sector. When will that happen?

**Tom Arthur:** We have worked closely with the retail sector, including the SRC, on the development of the retail strategy, whose publication, I assure Dean Lockhart, will be forthcoming relatively soon.

We do take a coherent approach. In my original answer, I outlined much of the funding that we have put in place. Our policy coheres across a range of areas, and I encourage Dean Lockhart to look carefully at the town centre action plan, once it is published—it was developed in partnership with the Convention of Scottish Local Authorities—and to look closely at what we are doing with national planning framework 4, in which there is an abundance of policies that reflect and incorporate the review of the town centre action plan, and which puts in place the long-term structures that we need in planning to match what we are doing across a range of other areas to ensure that we have a vibrant future for retail.

Finally, I acknowledge the point that Dean Lockhart made. There are long-standing structural challenges to the retail sector. Our job is to support retail to make a just transition.

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** Does the minister welcome the inquiry into town centre regeneration that I understand the Economy and Fair Work Committee is undertaking? Will he look at Galashiels in my constituency, where energise Gala—the Energise Galashiels Trust—has worked very hard over the years with politicians from all parties to try to deal with the very thing that we are discussing, which is small shops disappearing after being trampled over by large supermarkets?

**Tom Arthur:** I absolutely welcome the inquiry that the Economy and Fair Work Committee is undertaking and I very much look forward to seeing the evidence that it takes and the recommendations of its final report. I would be very happy to discuss the matter further with Christine Grahame. If she would like, she could invite me to her constituency to see some of the excellent local examples of retail that she referred to.

### Historic Sites (Managed Decline)

**4. Donald Cameron (Highlands and Islands) (Con):** To ask the Scottish Government what its response is to reports that Historic Environment Scotland is considering criteria that could be used to identify sites that could be left to managed decline. (S6O-00815)

**The Minister for Culture, Europe and International Development (Neil Gray):** It is important that Scotland’s historic properties in care are kept in a safe condition for Historic Environment Scotland’s staff and for public visitors. We are seeing how the properties’ natural processes of decay have been accelerated by climate change, and that process is likely to continue. Historic Environment Scotland is currently considering what future management approaches and strategies will be needed for care in the long term, and I will keep discussing those potential approaches with it.

**Donald Cameron:** HES stated recently that it might need to reduce physical access to some historic sites and accept

“the natural process of decay”

in some cases. Dun Carloway broch on Lewis has been closed since 2019, with little progress made since then, leaving local communities very worried about its future. Can the minister confirm whether HES is considering managed decline for that site? More broadly, will he confirm what historic sites in Scotland HES considers to be most at risk?

**Neil Gray:** I thank Donald Cameron for his interest in this area. I understand that Historic Environment Scotland’s director of conservation has written directly to him about the matter and is in the process of reaching out to his office to arrange a site visit to Dun Carloway broch with Historic Environment Scotland’s experts.

I can confirm that Historic Environment Scotland carried out consolidation work on the broch in October and November last year and managed to stabilise a section of the upper broch, which is good news. Further programmed works are planned for the end of this month, and at the end of April HES will undertake a review that will inform the next steps and the reopening timetable.

The safety of the public must always be the primary concern.

I hope that that will assist Mr Cameron on his local issues, but I am happy to correspond further if that would be helpful.

**Sarah Boyack (Lothian) (Lab):** The issue is not just about reviewing sites; it is also about ensuring that there is sufficient funding for those sites to be able to remain open and be safe. As a resident of this city, I know that, just minutes away from us, in Holyrood park, we have the Radical Road, which has been closed for a long time, and the problems with Duddingston Low Road. The issue is not just about reviewing but about making sure that Historic Environment Scotland has enough resource to keep our fantastic cultural heritage alive and accessible to all of us, wherever we live.

**Neil Gray:** There is not a lot that I can disagree with in Sarah Boyack's question, but the Scottish Government has given substantially increased resource to Historic Environment Scotland: £80 million in 2020-21, £75 million in 2021-22 and over £70 million in 2022-23. We are investing substantially, recognising the Covid challenges to Historic Environment Scotland's potential income streams. We will continue to work closely with it on the important sites that we have across Scotland, to make sure that we are protecting them as best we can from climate change erosion, which I mentioned, and the other challenges that they face.

### Second Homes

**5. Emma Roddick (Highlands and Islands) (SNP):** To ask the Scottish Government how it is tackling any issues related to high numbers of second homes in some parts of Scotland. (S6O-00816)

**The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison):** We recognise that concentrations of second homes can affect community sustainability. Existing measures include the additional dwelling supplement that second home buyers pay, short-term let control areas for secondary letting, and existing powers that local authorities have to vary or remove council tax discount on second homes. In 2017-18, that meant that council tax income generated from second homes contributed £21.2 million towards the provision of affordable homes across Scotland.

**Emma Roddick:** The cabinet secretary will be aware that I and many in the Highlands and Islands have deep concerns about how housing availability affects depopulation. It is clear that, particularly in certain rural and island communities, second homes are contributing to that issue. Can

she give an update on the Scottish National Party's manifesto commitment to give local authorities power to manage the number of second homes in their area?

**Shona Robison:** I acknowledge Emma Roddick's background of raising this important issue in the chamber. Through the "Housing to 2040" strategy, we are committed to providing more tools and powers to local authorities to support best use of existing housing stock. During the stakeholder discussions on the remote, rural and island housing action plan, we will engage with stakeholders about proposals on what additional powers are needed. Emma Roddick mentioned the taxation review. Work on the review had been paused due to Covid, but we will recommence it this year.

### Drugs Legislation (Devolution)

**6. Natalie Don (Renfrewshire North and West) (SNP):** To ask the Scottish Government what progress it has made with the United Kingdom Government on the devolution of drug legislation to the Scottish Parliament, particularly in relation to the Misuse of Drugs Act 1971. (S6O-00817)

**The Minister for Drugs Policy (Angela Constance):** The Scottish Government has engaged, and will continue to engage, with the UK Government to reform and/or devolve the 1971 act to fully enable an evidence-based public health approach to tackling the drug deaths crisis. The UK Government remains unwilling either to review the legislation or to devolve powers to Scotland. At a parliamentary joint committee session on 1 February, Mr Malthouse refused to accept the recommendations of the drug deaths task force for legislative change. In the meantime, the Scottish Government will continue to seek solutions within the current laws and our current powers to save and improve lives by reducing harm and promoting recovery.

**Natalie Don:** It is going to take a national mission to end drug addiction and drug deaths in Scotland, and the Scottish Government is doing everything within its devolved powers to tackle that. However, with the Misuse of Drugs Act 1971 still reserved to Westminster, we are tackling the issue with one hand tied behind our back. Does the minister agree that the legislation should be devolved immediately, so that Scotland has all the levers available to fully address the issue and save lives?

**Angela Constance:** Yes. I very much believe that we need a root-and-branch review of the 50-year-old Misuse of Drugs Act 1971 and that the powers should be devolved to this Parliament.

I do not for a minute demur from the challenge of doing more with our existing powers and resources. Investment in tackling culture and reforming services is important, along with legislative powers and legislative reform.

If the 1971 act was reformed or devolved to Scotland, some of the work that we are currently immersed in, in and around drug checking facilities and drug consumption facilities, would be far easier. The crux of the problem with the 1971 act is that it impedes a full public health approach to a public health emergency. In particular, it limits the full range of evidence-led harm reduction measures. I hope that I have demonstrated to the chamber and beyond that I am fully committed to recovery, residential rehab and abstinence-based interventions, but we also need to get serious in this country about harm reduction and reach people where they are at any given time. That is, in part, what we need to do to reduce harm.

### **Unsafe Cladding (Remediation)**

#### **7. Richard Leonard (Central Scotland) (Lab):**

To ask the Scottish Government whether it will provide an update on the remediation, including removal and replacement, of unsafe cladding on residential buildings in Scotland, as part of its response to the Grenfell tragedy. (S6O-00818)

**The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison):** We selected 25 high-priority residential blocks of flats for an initial phase to test and develop our free single building assessment. Surveys are on-going and some reports will be finalised in the coming weeks. That will allow us to understand what actions need to be taken to further support affected home owners and seek the most appropriate solutions.

Where construction is found to be unsafe, we will continue to urge other parties, such as developers, to play their part. We are continuing to discuss with the United Kingdom Government what its plans are for the establishment of its announced £4 billion fund.

**Richard Leonard:** The Grenfell tragedy, which claimed 72 lives, was four and a half years ago. We know that the Government has identified 25 high-rise buildings in Scotland that are affected, but it has not told Parliament where they are. We also know that, since last year, the Government has had £97.1 million in Barnett consequentials to spend, but it has not spent a penny of that. It will receive more funding, including a share of the £4 billion that the cabinet secretary mentioned. When will the cabinet secretary move beyond assessments, inspections and so-called innovations and, for the sake of the safety and lives of the residents of those at-risk buildings, including children, just get on with it?

**Shona Robison:** The locations have not been made public at the request of those living in the buildings—they do not want that information to be made public. I would have thought that Richard Leonard would respect the views of those people.

Every penny of the £97.1 million will be spent. Richard Leonard dismisses inspections and assessments, but we do not know what remediation work needs to be done until the inspections and assessments of those buildings are carried out. That requires complex engineering work with specialist input to ensure that we know what remediation is needed. Many of those buildings will be deemed safe once those inspections and assessments are done. However, for those buildings that require remediation work, that £97.1 million will be spent on it.

We also need access to the £4 billion that the UK Government has talked about. Along with my Welsh counterpart, Julie James—

**The Presiding Officer:** Please be brief, cabinet secretary.

**Shona Robison:** We have just written to the secretary of state calling for our Governments to be part of any discussions with developers and that may impact on our countries.

**The Presiding Officer:** That concludes general questions.

## First Minister's Question Time

12:01

### Scottish National Investment Bank (Chief Executive)

#### 1. Douglas Ross (Highlands and Islands)

**(Con):** One week has passed since the unwarranted, unprovoked and illegal invasion of Ukraine by Vladimir Putin and his forces. That has been one week of watching refugees forced to flee their homes, watching cities being bombed and seeing young and old come together to fight on the front line in a war between two sovereign countries. While we debate in the Scottish Parliament, we cannot forget that the people of Ukraine continue to put up the most heroic defence of their country in the face of Russia's appalling actions. However, they urgently need food, water, shelter and medical care. Today, I will stand with fellow party leaders to show our support for the Disasters Emergency Committee's Ukraine appeal. The people of Ukraine need our help in their time of need. I encourage everyone across Scotland who can donate to do so. Together, we can make a real difference to people whose lives have been devastated by this atrocity. *[Applause.]*

Can the First Minister tell us why the chief executive of the Scottish National Investment Bank resigned abruptly on Friday?

**The First Minister (Nicola Sturgeon):** First, I, too, on behalf of all of us in the chamber and across the country, express my horror at the scenes that we have watched unfold in Ukraine as a result of Putin's aggression and illegal invasion over the past week. I also express my admiration for and solidarity with the people of Ukraine; led by their President, they are showing incredible bravery as they stand up for the values of democracy, sovereignty and freedom.

I also echo the comments about the Disasters Emergency Committee appeal, which will be launched just after First Minister's question time. All party leaders will stand together to support that. The DEC appeal brings together all the aid agencies that are responding on the ground. Donating to its Ukraine appeal is the fastest and most efficient way to get money to the charities that are helping right now. I can confirm that, of the £4 million announced by the Scottish Government on Monday for humanitarian aid, £2 million will go to the Disasters Emergency Committee appeal.

Before I move on to Douglas Ross's question, I take the opportunity to tell people that they can donate to the appeal at [dec.org.uk](http://dec.org.uk) or by telephoning 0370 6060900, or £10 can be donated

by texting DONATE to 70150. Every penny donated from Scotland will help to get much needed aid to the people of Ukraine who are fighting so hard for the values that we all hold dear.

On the question about the Scottish National Investment Bank, I am sure that everyone across the chamber will understand that I am not going to go into the confidential details of anybody's employment situation in the chamber. That issue is not a matter for Scottish Government ministers; it is a matter for the board of the Scottish National Investment Bank. Ministers had no input into it, although we were told earlier in February that the chief executive would be leaving the bank imminently.

Scottish Government ministers have the responsibility to ensure that the Scottish National Investment Bank is performing well. It is performing exceptionally well, and it is perhaps the most important economic initiative that has been taken over the past few years in Scotland. As of the end of January, the bank had completed 13 investments, totalling just under £200 million, since its launch to support companies across its three key missions of net zero, place-based development and innovation. The bank is doing incredibly well, and the Scottish Government and all of Scotland should continue to support it in those efforts.

**Douglas Ross:** The First Minister has used the opportunity to explain how well the bank is doing in the vital work that it is undertaking. It is therefore important that the Parliament and the public in Scotland know why the chief executive resigned so abruptly earlier this week. We have heard from the First Minister that she was given advance warning of that last month, so I have to ask why we are not finding that out in the Parliament. This week, Scottish Conservative MSPs have repeatedly asked why the chief executive, Eilidh Mactaggart, resigned, but not once have we got an answer. The First Minister has refused to give an answer again today.

The Scottish National Investment Bank will eventually be in charge of £2 billion of public money, so we are entitled to know about its leadership. The secrecy and shutting down of scrutiny are completely unacceptable. How can the First Minister and her Government have nothing to say about why the person who was running that organisation has left?

The ministerial code states:

"Information should not be withheld from the public unless there are clear and lawful reasons for so doing."

Are there clear legal reasons for hiding that information from the public, or will the First

Minister now tell us why the chief executive stood down?

**The First Minister:** I would have thought that the answer to Douglas Ross's question about the terms of the ministerial code should have been obvious. The chief executive is an employee of the Scottish National Investment Bank, and the bank has a duty of care to all staff, including the former chief executive. That is why that is a matter for the bank's board, and it is important for everyone—including the Scottish ministers—to respect that confidentiality and duty of care.

It is important to make the point that, given that the chief executive has resigned, the bank has new interim leadership in place, and it continues to perform extremely well. I have already outlined the scale of the investments that are being made by the bank to support businesses throughout the country to help us to meet the missions of making Scotland a more innovative country, completing our journey to net zero and ensuring place-based development to help some parts of the country to have better and faster economic growth. That is what matters to the Parliament and the Government. At any given time, it is vital to be clear that the bank has the leadership in place to ensure that continued progress.

**Douglas Ross:** It is questions about the leadership of the bank that are not being answered by the First Minister. She is telling us a lot about the bank and its importance to Scotland, Scotland's economy and the Parliament but, like her ministers, she is refusing to give any detail on why the chief executive resigned. That is extremely unfortunate, as we come to the Parliament to get answers from the First Minister and her Government.

The timing of the matter is all very suspicious. The chief executive of the Scottish National Investment Bank resigned just days before the Scottish National Party launched its economic strategy, which is wafer thin, underwhelming and watered down by the Greens. It sums up a Government that is out of ideas and out of any vision for creating Scottish jobs and growing our economy. The plan is more of the same; it even recycles productivity clubs from Derek Mackay's economic plan.

The strategy has been criticised by business leaders including Sir Tom Hunter, who described it as

"a long wish list with no magic wand to deliver it".

Is it really a coincidence that the chief executive of the Scottish National Investment Bank has resigned instead of trying to deliver the new economic strategy?

**The First Minister:** Yes, it is a coincidence, and that is clear. The former chief executive of the Scottish National Investment Bank is a private individual. She has opted to resign her post as chief executive of the bank. She is entitled to the duty of care and confidentiality to which any other individual in her circumstances would be entitled. As I think most reasonable people would accept, it would be completely wrong of me, in the chamber of the Scottish Parliament, to breach that confidentiality.

I have a duty to ensure that the bank has the right leadership in place and can continue to build on the excellent progress that it is making across its three missions. That, I think, is what is important.

Regarding the economic strategy published by Kate Forbes earlier this week, perhaps I need to quote some people on the front line of Scotland's economy.

Tracy Black from the Confederation of British Industry Scotland said:

"Business will welcome the ambitions set out ... as the right path for Scotland's future economy."

Liz Cameron of the Scottish Chambers of Commerce said that

"businesses will applaud the scale and ambition set out in the strategy".

**The Presiding Officer (Alison Johnstone):** I am sorry, First Minister, but I ask you to pause for a moment. There is conversation going on across the aisles, and I would be grateful if that could cease.

**The First Minister:** Ewan MacDonald-Russell from the Scottish Retail Consortium said:

"There is much in this strategy the retail industry can support".

Andrew McRae of the Federation of Small Businesses said that

"the headline measures in this strategy could help Scotland realise its long-term ambitions."

That is what people working in Scotland's economy think. We will continue to work with them as we continue to support recovery from Covid, ensuring that the Scottish economy is living up to and fulfilling its enormous potential.

**Douglas Ross:** I have to wonder, when the First Minister reads out those quotes, whether there were similar supportive quotes when Derek Mackay issued many of the same points in his economic plan or for previous economic plans. The fact is that the strategy is a re-reading of many of the issues and ideas that were put forward by the Scottish National Party before.

The first part of the First Minister's answer was telling. She has confirmed to the Parliament that there was no direct link between the Government's economic strategy launch and the resignation of the chief executive of the Scottish National Investment Bank. Therefore, she knows why the chief executive did resign—if she knows that the strategy launch is not the reason why she resigned. We are just asking questions because we need answers. *[Interruption.]* It may be uncomfortable, and the groans from SNP members may be because they do not want these questions to be asked, but it is the job of the Opposition in this country to raise serious concerns when they come in.

The First Minister mentioned the economy. For the 15 years that her Government has been in charge, Scotland's economy has been stuck. The Scottish Government has created more problems than it has ever created jobs. We have seen one major failure after another, from Prestwick airport to Ferguson's shipyard to Burntisland Fabrications Ltd. Now, for the new strategy, the SNP is literally diagnosing problems that it either created or made worse.

The First Minister cannot even rely on support from those on the benches behind her. In response to the launch of her Government's economic strategy, Maggie Chapman said:

"the Scottish Greens believe the focus on growth is outdated."

The focus on growth is outdated? Those are the same Greens that Nicola Sturgeon personally invited into her Government, a party whose policy is actually to make Scotland poorer. Is it any wonder that the First Minister's Government's economic plan is a shambles?

**The First Minister:** Based on today's performance by Douglas Ross, I predict that the one thing that we will not be seeing any growth in over the next few months or years is the Scottish Conservatives' fortunes across the country. Douglas Ross wants to dismiss the views of CBI Scotland, the Scottish Chambers of Commerce, the Scottish Retail Consortium and the Federation of Small Businesses. I have set out their views on the economic strategy, and I suspect that they speak for more people on the Scottish economy than Douglas Ross does.

Let us also consider the performance of the Scottish economy. Of course, we have a massive challenge ahead of us, as all countries do, to recover the economy from Covid, but we should look at the record over recent years. The Scottish economy has been outperforming the United Kingdom economy on productivity. There has been growth in the number of employers paying the accredited living wage.

We saw our target to reduce youth unemployment met, although, with the Covid challenge now, we have established the young persons guarantee. We have expanded modern apprenticeships. We have set out an infrastructure investment plan with more than £26 billion of investments to drive a green recovery, create jobs and stimulate supply chains. This Government has delivered support for exporters in the face of Tory Brexit.

Scotland is now the only part of the UK with a positive trade balance in goods. Scotland has been the top UK destination outside London for foreign direct investment for every single one of the past six years. That is this Government's record on the economy, and we now look forward to building on that, working in partnership with businesses the length and breadth of the country.

### **National Health Service (Workforce Planning)**

2. **Anas Sarwar (Glasgow) (Lab):** First, I join other party leaders in expressing our horror and heartbreak at the continuing devastating scenes that we see in Ukraine. We unequivocally stand in solidarity with the people of Ukraine in defence of democracy, human rights and their peace and freedom. We again recognise the unjustifiable and unprovoked attack by Vladimir Putin, and I urge all Governments around the world to do everything that they can to put pressure on him and his regime.

I pay tribute to the countless numbers of individuals and organisations across our country that have been doing collections over the past week. I thank them for everything that they are doing. We all feel frustrated, and we all feel that we want to act. One way that we can act is by supporting the Disasters Emergency Committee's appeal on Ukraine. The First Minister set out the details of how people can support that campaign—they can go online to [www.dec.org.uk](http://www.dec.org.uk) and donate online, or they can text DONATE to 70150. We will never forget the people of Ukraine, and we will continue to support them throughout this tragedy.

Last week, data from Public Health Scotland confirmed that there are now more than 680,000 people on a national health service waiting list—that is one in eight Scots who are waiting for hospital appointments, diagnoses and procedures. This week, new workforce figures revealed that there were more than 6,600 vacant nursing and midwifery posts—the worst level on record.

The Royal College of Nursing reports that staff feel that they are

"asked to do more with less",

and that

"care is hugely undermined by the"

lack of staff. That is a dangerous mix: growing waiting lists and record staff shortages.

After 15 years, why has the First Minister still failed to deliver a credible workforce plan for our NHS?

**The First Minister (Nicola Sturgeon):** First, waiting times have increased over the course of the pandemic because, during Covid, the NHS has been able to see and treat fewer non-Covid patients. However, as we now—hopefully—come out of Covid and focus on the NHS recovery plan, we want to get the NHS back on a normal footing so that it can see patients more quickly and start to reduce those waiting times. The Government is very focused on that.

On staffing, there are serious recruitment challenges for the NHS in Scotland, as there are for health services across the United Kingdom. However, as a result of the actions that this Government has taken since 2007, Scotland has record staffing numbers in place. The numbers that I am about to cite are exclusive of vacancies—these are staff who are in post. NHS staffing is up by 28,700 whole-time equivalents—that is a 22.6 per cent increase since the Government took office, which takes the numbers to a record high. NHS Scotland has higher staffing per head than we see in NHS England, with 28.5 whole-time equivalents per 100,000 people here in comparison with just 21.4 in England. Nursing and midwifery staffing is also at a record high; it is up by 14.5 per cent since the Government took office. That is the action that we have taken.

Of course, the challenges that we face now are even greater, and we are focused on meeting those. We are investing in the wellbeing of our staff, and ensuring that we do not lose staff from our national health service and that they are well supported; ensuring that our agenda for change staff are the best paid anywhere in the UK; and working with NHS boards on recruitment campaigns, because one of the big challenges that we face is a shortage of labour, which is exacerbated by Brexit.

We are focused on all that in the NHS and across social care as well. We will continue to get on with the job of supporting our national health service as we go further into the recovery from Covid.

**Anas Sarwar:** There were 450,000 people on NHS waiting lists before the pandemic. The question is not whether we should have more staff, it is whether we have enough staff.

Failure to plan has consequences. If the First Minister does not want to listen to me, perhaps she will listen to one of those 680,000 patients, Ricky, who is a former miner. He has chronic spinal pain and needs regular spinal injections, but

he has been waiting for nine months. As a result of his condition, he needs neurological treatment. He has been told that he will have to wait at least a year for an appointment with a neurosurgeon and at least eight months to access a magnetic resonance imaging scan. He is in so much pain that he is having to pay £300 per appointment to see a private doctor. Things are now so bad that he is considering remortgaging his house to pay for the surgery that he may need.

Ricky is not alone. There are hundreds of thousands of people waiting for NHS treatment and struggling to cope. That undermines the very founding principles of our NHS. Warm words and quoting statistics will not cut it. When will the First Minister wake up to the reality that is facing too many Scots?

**The First Minister:** I am setting out the actions that the Government is taking, because I do not believe that Ricky's experience, or the experience of anyone else who is waiting too long for NHS treatment, is acceptable.

I think that people understand the immense challenges that the NHS has faced in the past two years. Anas Sarwar talks, with some justification, about the wider challenges in the NHS and the pre-pandemic progress. The fact is that we were making progress in reducing waiting times before the pandemic. For example, the number of people waiting more than 12 weeks for out-patient appointments had fallen by 32 per cent before the pandemic and the median wait for in-patient and day case treatment had fallen by 8.3 per cent. That is the progress that was being made before the pandemic and I think that everyone understands the impact that the pandemic has had.

I do not believe that there are sufficient staff in the NHS, which is why the Scottish National Party manifesto for the election last year committed to an additional 1,500 staff being recruited, on top of the record number that we already have in place. We are working hard to meet those recruitment targets.

We are focused on the NHS recovery plan: building capacity in our NHS by 10 per cent to help with the recovery process; ensuring that existing staff are well supported and are as well paid as we can deliver within our resources; and recruiting more NHS staff. That is what we are getting on with. I think that people across the country, those on waiting lists and anyone else, want to hear what the Government is doing. That is what I am setting out today and will continue to set out and, indeed, to be held to account for.

**Anas Sarwar:** Those actions are not good enough and they do not go far enough. Scottish Labour has modelled the Government's NHS

recovery plan, which the First Minister has just referred to, and has backed up that modelling with independent analysis. Even if all the promised increases to activity are delivered, waiting lists will still continue to grow. In four years' time, by the end of the Government's recovery plan, there could be more than 430,000 people waiting for out-patient appointments, which is 11,000 more than are waiting today. The same is true for in-patient procedures. Under the Government's plan, as many as 153,000 people could be on a waiting list, which is 30,000 more than are waiting today. Surely a catch-up plan should mean fewer, rather than more, people on waiting lists?

After 15 years of neglecting our NHS, is the best that the First Minister can offer a flawed recovery plan that will actually make waiting lists longer?

**The First Minister:** No. Anas Sarwar's reference to Labour's modelling—and I would be very interested in seeing the basis of that—perhaps shows his oversimplification of the plans that are in place.

Building capacity is a key part of the NHS recovery plan, but it is not the only part. The plan also includes redesigning and modernising how people get care, making sure that people are getting care as close to home as possible. Our recent investment in hospital at home is better for patients and better for the NHS. The redesign of the urgent care programme ensures that hospital stays can legitimately and appropriately be made shorter. We are building up social care so that fewer people end up in the NHS because the services that they need are not there in the social care sector.

The 10 per cent increase in capacity is a very important plank of the recovery strategy, but I suggest to Anas Sarwar that it is not the only part. We are focused on finding the solutions. I appreciate that he is in opposition and I am in government, and it is for the Government to find solutions, but what was missing from all three of Anas Sarwar's questions was a single suggestion beyond what we are already doing. We are taking and will continue to take the proper actions to support our NHS into recovery, so that patients like Ricky—and the many others who are waiting too long for treatment—get quicker treatment, and so that our NHS is on the sustainable basis for the future that we all want to see.

**The Presiding Officer:** We move to supplementary questions. I would be grateful for short and succinct questions and responses.

#### **Ukrainian People (Resettlement Scheme)**

**Gordon MacDonald (Edinburgh Pentlands) (SNP):** Does the First Minister agree that Scottish communities have demonstrated that they are fully

prepared and willing to engage in a resettlement scheme for Ukrainians that matches the scale and severity of the current crisis? Will the Scottish Government continue to push the United Kingdom Government to urgently implement a more ambitious scheme to support those who are fleeing that appalling war on our continent?

**The First Minister (Nicola Sturgeon):** Yes, I agree, and I hope that we will have unity across the chamber on this issue. I support the actions that the UK Government has taken in the light of Russia's invasion of Ukraine. I think that sanctions have been admirably tough and that they can be tougher still, and I think that the Prime Minister and the UK Government agree with that.

I also recognise the movement that has been made on the issue of refugees over the past few days but, on a moral, humanitarian basis, that can and needs to go much further. The estimates are that we are getting rapidly close to 1 million people already having been displaced from Ukraine, as they flee the horror that is unfolding there. In common with countries across the democratic world, we have a moral, humanitarian obligation to play our part in addressing that. Therefore, I appeal again to the UK Government and, directly, to the Prime Minister to follow the example of the Republic of Ireland and the whole European Union, and allow anyone who is fleeing the horror in Ukraine entry to the UK if they wish and to let us deal with the paperwork later. Let us operate now first and foremost on the basis of that humanitarian obligation.

#### **Nuclear Energy Generation**

**Liam Kerr (North East Scotland) (Con):** This week, Robert Habeck, the Green Party economy minister in Germany's ruling coalition, signalled that Germany will drop its opposition to Germany-based nuclear-generated energy. If even the Greens in Germany see the sense in generating nuclear energy domestically, is it not time for the Scottish Government to drop its ideological objection to Scotland-based nuclear generation in favour of a more informed scientific approach?

**The First Minister (Nicola Sturgeon):** No, I think that we should build our energy mix on the basis of Scotland's assets and priorities. Germany does not have anywhere near the renewable energy potential that Scotland has. For example, offshore wind has massive potential for Scotland, so let us continue to build our low-carbon renewable energy mix and do so in a way that is right for Scotland.

#### **Vladimir Lisin**

**Ross Greer (West Scotland) (Green):** Vladimir Lisin is one of the richest men in Russia and he has been on the US Treasury Department's Putin

list of known Kremlin associates since 2018. He is also the owner of the 3,000-acre Aberuchill estate in Scotland which, between 2016 and 2019, received just under £700,000 of agricultural subsidies. Will the Scottish Government urgently review the agricultural payment system and any other relevant payment system to ensure that no member of the Russian elite or Kremlin associate is in receipt of public money in Scotland?

**The First Minister (Nicola Sturgeon):** Yes, I will ensure that that review happens. I have sought urgent advice on the maximum possible action that the Scottish Government can take, within our powers, against individuals and entities that are identified as having close links with the Russian regime, whether or not they are currently on the United Kingdom sanctions list. Options that will be examined include, but are not limited to, ending support from the public purse and freezing or seizing assets in Scotland, where that is possible. Of course, I will keep Parliament fully updated.

I also confirm to Parliament that the Scottish Government will today write an open letter to Scottish businesses and business organisations. Of course, it is a matter for businesses but, beyond direct investments, which we hope that businesses will divest themselves of, we will encourage them to review operations for links and connections to Russia—however indirect—and to sever those links. The Scottish Government and our economic agencies will not support trade and investment activity with Russia. Of course, we will support businesses as they adapt to remove any and all links with Russia.

#### **Dawnfresh Seafoods (Administration)**

**Monica Lennon (Central Scotland) (Lab):** On Tuesday, Dawnfresh Seafoods went into administration. The immediate closure of the Uddingston factory has plunged 200 workers into redundancy. They feel betrayed after years of broken promises, and they fear that they will not get their wages this week, as Alastair Salvesen—one of Scotland's wealthiest men—claims that there are no funds to pay them.

The Bakers, Food and Allied Workers Union is working tirelessly to support its members and some, thankfully, have found other work this week. However, with a cost of living crisis biting, no one should be short-changed at this time. One angry worker told me last night that they received no Christmas bonus and no support through Covid—not even a slice of fish. What urgent action is the Government taking to support those workers? The men and women who helped to feed the nation during the pandemic should not be forced to use food banks.

**The First Minister (Nicola Sturgeon):** I absolutely agree with the sentiments of that

question and, like others, I was very concerned to learn that Dawnfresh Holdings had entered administration. I would absolutely call for the fairest possible treatment of that company's workers.

Scottish Enterprise spoke with the administrators yesterday to better understand the situation and to offer whatever support it can to help the business and the workers who are affected. We will work with the administrators to understand all potential options for the business and to explore all possibilities for rescuing jobs. The Government's partnership action for continuing employment—PACE—will offer any necessary support to the members of the workforce who are affected and who might be facing redundancy.

**Stephanie Callaghan (Uddingston and Bellshill) (SNP):** Dawnfresh is in my constituency. As Ms Lennon said, it entered administration this week. That occurred despite concerted efforts by the Scottish Government, my office, South Lanarkshire Council and Scottish Enterprise to support a takeover deal that would have maintained the Uddingston operation and continued to employ every worker there.

What efforts will the Scottish Government take to revitalise those efforts to continue seafood production at Uddingston? What work will be going on to support those local workers who, sadly, are facing redundancy?

**The First Minister:** I thank Stephanie Callaghan for that question and take this opportunity to acknowledge how active she and her office have been on behalf of her constituents on this issue.

Scottish Enterprise and the Scottish Government will explore and give support to the exploration of all possible options that might allow the business to continue in some form and that might allow jobs to be saved and protected. As I said in my earlier answer, in parallel to that, we will provide as much support as possible to the workers who are affected and who might be facing redundancy. The Minister for Business, Trade, Tourism and Enterprise would be happy to meet Stephanie Callaghan and other MSPs who cover the region to keep them updated on those efforts.

#### **Borders Railway (Overcrowding)**

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** A concerned constituent contacted me following appalling overcrowding on the Borders railway last Saturday. The 10:30 train from Tweedbank was cancelled, and the 11:30 train had just two carriages, with standing-room only from Galashiels. As a result, no fares were collected and passengers were crammed in

carriages with no social distancing and very limited mask wearing. The train could not pick up passengers on the route, so it bypassed stations.

That is absolutely unacceptable. Why has the Scottish Government not implemented the changes that were promised to Borders passenger services years ago?

**The First Minister (Nicola Sturgeon):** Obviously, the situation that has been raised does seem to be unacceptable. I am not aware of the particular circumstances that led to it at the weekend, but I will ask ScotRail for an explanation and what actions it is taking to avoid a repeat of that. I will ask the Minister for Transport to write to the member once we have that information.

### **Carers Allowance (Replacement)**

**3. Miles Briggs (Lothian) (Con):** To ask the First Minister whether she will provide an update on the Scottish Government's plans to replace carers allowance with a devolved benefit. (S6F-00864)

**The First Minister (Nicola Sturgeon):** We published a consultation on Monday that set out proposals for how Scottish carers assistance will improve support for more than 80,000 of Scotland's unpaid carers. That is in recognition of their vital contribution.

Our proposals have been developed with carers and support organisations, and the consultation is an opportunity to continue to shape this important benefit. It sets out how we will deliver and improve services, providing more stable support and a new payment that is worth £520 a year for those who are caring for more than one person. That will be in addition to the young carer grant and the carers allowance supplement. We are working with the Department for Work and Pensions to ensure that we can launch and deliver the new benefit as quickly as possible.

**Miles Briggs:** During the pandemic, 1.1 million of our fellow Scots have become unpaid carers and we, as a society, owe them so much. There is support from parties across the Parliament for the extension of support when the caring role ends due to bereavement and when cared-for people are in hospital or residential care. Will the First Minister commit to including those potential reforms in the next programme for government?

**The First Minister:** Yes. First, we need to secure the safe and effective transition of the benefit, so that people's payments continue, but we have also set out views on priority changes that we want to make to the benefit when it is possible to do so. There are five of those: removing education restrictions so that full-time students can get the benefit; allowing carers to add together hours spent caring for more than one

person; increasing the time for which carers receive payments after the death of a cared-for person; making payments for longer when a cared-for person goes into hospital or care; and increasing the amount that carers can earn and still get support. We are taking views on those options and I hope that members across the chamber, as well as people across the country, will respond, so that we can build a system that is fit for unpaid carers, because the contribution that they make to our society is immense and we owe them a huge debt of gratitude.

**The Presiding Officer:** I can take brief supplementaries.

**Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP):** I welcome that the Scottish Government is planning to deliver the new benefit in a caring and compassionate way, in line with our ethos, and that it intends to make further improvements for carers. Will the First Minister confirm how much recipients in Scotland already receive compared with carers south of the border because of the Scottish Government's carers allowance supplement?

**The First Minister:** It is important that our social security system is based on dignity, respect and fairness and that we deliver the maximum support to people who most need it. That has been shown with our carers allowance supplement, which was the first benefit that we introduced with new powers in 2018. Since then, around 126,000 carers have received payments.

Last year, through the supplement, carers got just under £700 more than carers in the rest of the United Kingdom. That included the extra payment in December to help with the impact of Covid. People who have been receiving carers allowance continuously since 2018 will have received over £2,270 more than carers in the rest of the UK in the past three years. We have also introduced a young carer grant for younger carers. That is a sign of what we can do when powers lie in this Parliament, which is why I want to see so many more powers come to this Parliament and not lie at Westminster.

**Pam Duncan-Glancy (Glasgow) (Lab):** Last year, the Government doubled the carers allowance supplement in recognition of the increased support that unpaid carers had to provide during the pandemic. Will the Government double it again this year and until it creates the new carers allowance?

**The First Minister:** We will consider all those things carefully. Of course, additional consequential were made available to us because of Covid, which are not being continued, so any moves to do that will mean that we have to take the money from elsewhere in our budget.

However, I think that I have made it very clear, and that people across the chamber are of the view that the debt that we owe to unpaid carers is so significant that we have to consider very seriously everything that we can possibly do to help them.

#### **Covid-19 Recovery (Support for Mental Health)**

**4. Gillian Martin (Aberdeenshire East) (SNP):** To ask the First Minister, in light of the steps being taken to return to normality after the Covid-19 pandemic, what extra help is being provided to support people's mental health. (S6F-00860)

**The First Minister (Nicola Sturgeon):** Throughout the pandemic, mental health has been at the forefront of our thinking. Our mental health transition and recovery plan, which was published in October 2020 and is backed by our £120 million recovery and renewal fund, will transform services, with a renewed focus on prevention and early intervention. Funding that has already been allocated includes £40 million for child and adolescent mental health services, £21 million for grass-roots community groups via our communities mental health and wellbeing fund for adults, and £5 million to increase capacity in the NHS 24 mental health hub.

We will continue to address the mental health harms that have been caused by Covid. The updated strategic framework commits to ensuring that improving mental health and wellbeing is an underpinning principle as we take strategic decisions. Evidence on the likely effects on mental health will also be specifically assessed as part of our future decision making.

**Gillian Martin:** I thank the First Minister for that comprehensive answer. Last month, the Health, Social Care and Sport Committee, which I convene, finished taking evidence on the health of our children and young people. Unsurprisingly, the need for early intervention to prevent mental health issues from becoming acute was mentioned frequently. The provision of school counsellors was highlighted as a very positive move in that regard.

What more has been done to improve early intervention opportunities for young people entering adulthood who leave the support of school, or leave care, and are potentially particularly vulnerable to the effects of the psychological stresses as a result of the pandemic that they have faced?

**The First Minister:** I agree whole-heartedly that early intervention and prevention are central to supporting the mental health and wellbeing of children and young people. In addition to the provision of school counsellors, to which Gillian Martin referred, we provided £15 million of funding

to local authorities to deliver locally based mental health and wellbeing support for five to 24-year-olds in their communities.

We have also funded the aye feel and Mind Yer Time web resources, which provide information to young people on a range of mental health and wellbeing topics. We know that providing young people with good opportunities when they leave education or care has a significant impact on their health and wellbeing. We have built in that provision to the young persons guarantee, and we have provided up to £75 million to local employability partnerships, via local authorities, to provide employability support, which includes mental health support, to young people aged 16 to 24.

**Tess White (North East Scotland) (Con):** A report that the Mental Health Foundation published today highlights that mental ill health costs Scotland about £8.8 billion a year, and we know that referrals to psychological and mental health services have now exceeded pre-pandemic levels. What action is the Scottish Government taking to improve the prevention of mental health issues and reduce the time that people spend on waiting lists?

**The First Minister:** I have already set out, in response to Gillian Martin, much of the action that we are taking. We are focusing much more now on early intervention and prevention. That is the case particularly for children and adolescent mental health services but for adult services, too. We are investing significantly in mental health services generally.

I believe that Governments have a duty to remove—as far as they can, because this cannot be done absolutely—some of the causes of mental health challenges for people, which are now being exacerbated by poverty and the cost of living crisis. Giving money to people who need it most rather than taking it away from them, as some other Governments are doing, is an important part of supporting people and preventing the mental health difficulties that come from the worry of wondering how they will feed their children or provide for them in other ways. That point is an important part of the bigger picture.

#### **Covid-19 Status App**

**5. Stephen Kerr (Central Scotland) (Con):** To ask the First Minister what the Scottish Government's response is to the Information Commissioner's Office recently issuing a reprimand to it and NHS National Services Scotland in relation to the Covid-19 status app. (S6F-00849)

**The First Minister (Nicola Sturgeon):** Throughout the pandemic, the Government has

continually had to make tough decisions that have been aimed at minimising the transmission of the virus and helping to keep people safe and alive. The NHS Scotland Covid status app is an important tool in our response to Covid, and it has played a vital public health role during the latter stages of the pandemic.

We accept the outcome of the ICO's investigation and that the app's privacy information notice could have been clearer in telling users how their information would be used. However, I stress that people's data was held securely at all times and that personal information was not compromised.

Together with NHS NSS, we are working with the ICO to implement the improvements on transparency for which it has asked and to ensure that any necessary lessons are learned for future work.

**Stephen Kerr:** The First Minister was warned. Some might say that, as usual, she thought that she knew better than everyone else. An apology to the people of Scotland is in order at the very least. People trusted the Scottish Government with their personal data, but the ICO has had to reprimand the Scottish Government for misleading us about how that data would be used. That is a betrayal of trust, so why should people now trust the Scottish Government?

**The First Minister:** These issues are important, but I do not think that anybody contributes to the matter by grossly overstating or exaggerating them to the point of almost misrepresenting them, in the way that Stephen Kerr has done.

To reassure people who are listening to the debate and are actually interested in its substance, let me repeat that people's data was held securely at all times and that personal information was not compromised. The ICO's reprimand was at the lower end in relation to the sanctions that are available to it. The ICO said that the paperwork could have been clearer and that we could have made it clearer to users in the privacy information notice how their information would be used. We accept that point.

At a time when Governments everywhere were taking decisions every day to protect people from a potentially deadly virus, we could have made the paperwork slightly clearer in this case. I accept that. However, do you know what? I think that we took the right decisions to try to keep people in Scotland as safe as possible.

### **Eating Disorders Awareness Week**

**6. Emma Harper (South Scotland) (SNP):** To ask the First Minister how the Scottish Government plans to mark eating disorders awareness week 2022. (S6F-00858)

**The First Minister (Nicola Sturgeon):** Earlier this week, the Minister for Mental Wellbeing and Social Care visited the helpline service of Beat, the United Kingdom eating disorder charity. He also took part in the members' business debate on eating disorders awareness week 2022. In the debate, he highlighted our work to implement recommendations that were made in the national review of eating disorders services, including the establishment of an implementation group and investment of £5 million to support the recommendations. We have announced further funding of more than £300,000 in 2022-23 for Beat, which will enable additional services to be rolled out across Scotland.

**Emma Harper:** On Tuesday, I led the members' business debate on eating disorders awareness week, and I noted that one in 50 people in Scotland live with an eating disorder. Can the First Minister provide any additional information on work that the Scottish Government is doing to improve outcomes for people with an eating disorder? Will she join me in encouraging people who are worried about or who live with an eating disorder to contact Beat for help by calling 0808 801 0432 or visiting Beat's website?

**The First Minister:** I congratulate Emma Harper on leading the members' business debate. I agree with her about access to Beat's services, for which she has very helpfully given the contact details.

Building on what I said in my initial answer about the action that the Government is taking, the implementation group was established to take forward the recommendations of the review. It met most recently last Friday, to discuss the progress that has been made so far and next steps. The implementation group is taking forward a comprehensive work plan, which is focused on training and skills, quality standards and data improvement. The Minister for Mental Wellbeing and Social Care will attend the group's next meeting to discuss areas in which further improvements need to be made.

I encourage anyone who feels that they need support for disordered eating to seek help from friends and family, a medical professional or support services such as Beat. The extra funding for Beat that I mentioned in my earlier answer will allow it to deliver additional services, including the expansion of helpline support, specific binge-eating disorder support services and training for general practitioners and other healthcare professionals.

### **Lung Disease**

**7. Paul O'Kane (West Scotland) (Lab):** To ask the First Minister what urgent steps will be taken to address lung disease in Scotland, in light of the

reported comments of Asthma + Lung UK Scotland that “the state of lung health in Scotland is shameful”, with over 7,000 people dying a year. (S6F-00854)

**The First Minister (Nicola Sturgeon):** I thank Asthma + Lung UK Scotland for its new “Fighting for Breath” strategy and for the important work that it does to support people with respiratory conditions.

Respiratory disease is a Scottish Government clinical priority. We are committed to ensuring that people who are living with respiratory conditions receive the best possible care and treatment, to enable them to live longer, healthier and independent lives.

The first respiratory care action plan for Scotland was published last year. It sets out our priorities and commitments for driving improvement in the prevention, diagnosis, care, treatment and support of people who are living with respiratory conditions. The plan works alongside existing prevention strategies, including our air quality and tobacco strategies, which help to address the root causes of lung disease.

**Paul O’Kane:** I note that the First Minister referenced the publication of the respiratory care action plan—indeed, it is now one year since its publication. However, implementation of the plan has progressed slowly with the creation of the Scottish respiratory advisory committee, and no commitments have yet been made on funding the RCAP. Will the First Minister make clear how much funding will be allocated to the implementation of the RCAP in order to improve Scotland’s lung health?

**The First Minister:** I can confirm that we are working closely with the Scottish respiratory advisory committee, which includes Asthma + Lung UK, to develop an implementation programme. That will help us to understand the funding that is required to deliver on the plans, commitments and priorities. We will make announcements about funding in due course, as we do that work.

The committee has identified three key priorities for year 1, which are child-to-adult transition services, pulmonary rehabilitation and data. We have provided Health and Social Care Alliance Scotland with some funding to support the establishment of a lived experience respiratory network. I know that the Cabinet Secretary for Health and Social Care will keep the Parliament updated on further developments.

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

## International Women’s Day 2022

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a members’ business debate on motion S6M-03136, in the name of Michelle Thomson, on international women’s day 2022: break the bias. The debate will be concluded without any question being put.

I ask those members who wish to speak in the debate to press their request-to-speak buttons now. I point out to members that there is absolutely no time in hand, as we are due to resume business at 2 pm sharp. Therefore, members—including the opening speaker and the minister—will be required to stick to their allotted time.

I call Michelle Thomson to open the debate. You have up to seven minutes, Ms Thomson.

### *Motion debated,*

That the Parliament recognises 8 March 2022 as International Women’s Day (IWD); acknowledges what it sees as the social, economic, cultural and political achievements of women through history and around the world; understands that the theme of IWD 2022 is #BreakTheBias, which aims to highlight the impact of bias, both conscious and unconscious, on women and girls and to imagine a world free of bias, stereotype and discrimination; notes the view that it is important for MSPs to reaffirm a commitment to upholding the fundamental human rights of women and girls, while working together to accelerate gender parity in society; further notes the view that it is crucial for influential organisations to reject discrimination and abuse in society and within their own communities, while committing to be positive role models, and notes the calls to collaborate and unite behind the principles of IWD 2022, to ensure equity, diversity and inclusivity, and to break down barriers and forge women’s equality in communities in Scotland and across the world.

12:52

**Michelle Thomson (Falkirk East) (SNP):** Thank you, Presiding Officer.

Today, I dedicate my speech for international women’s day 2022 to the women of Ukraine, and I call on the minister and all members who speak in the debate to do likewise. [*Applause.*]

In normal times, I would outline a few of the key facts about women in Ukraine: equality and respect for women in Ukraine, as is the case in many countries, is still proving elusive; women are more frequently the victims of domestic violence; there is still a gender pay gap, although considerable progress has been made on that in recent years; there are still some types of roles from which women are disallowed, although those do not include combat; representation of women in Ukrainian politics is advancing slowly, but it is increasing over time; they do not yet have anything near a 50:50 split by sex at any level; and there is still some way to go in social attitudes. A

study that was undertaken in March 2020 by the Razumkov Centre showed that 83 per cent of respondents thought that a woman's most important task was to take care of her home and family, as compared to the belief of 75 per cent of respondents that a man's guiding mission was to earn money.

However, exactly a week ago today, the women of Ukraine were plunged into Putin's war. With Putin, as the First Minister acknowledged,

"underneath the veneer of power lie insecurity and fear."—*[Official Report, 24 February 2022; c 10.]*

War has a devastating and disproportionate impact on women that is too little understood. The women who are fleeing the cities, the women who are left behind and the women who are staying to fight will all face unique and specific challenges.

Zoe Clack from Edinburgh has recently undertaken research into women in Afghanistan and Iraq for the Reduce Explosive Violence Increase Victim Empowerment campaign and the University of Stirling. I am a director of the REVIVE campaign—I point members to my entry in the register of interests in that regard. Her report suggests some outcomes for women who are involved in conflict. For example, she points out that, when male breadwinners have been killed, women who are left behind are more vulnerable to sexual exploitation.

Zoe described the situation in this way:

"Changes in earnings when one member of a household becomes a victim of the conflict can cause an intersection of trauma and discrimination for women and girls. Their route to financial security can often come at the cost of either 'choosing' or being forced into marriage or sexual favours. The bodily autonomy of women is being taken away ... In these spaces where women are dependent upon others ... for economic survival, they are extremely vulnerable to physical and sexual violence".

That helps to explain why Human Rights Watch has pointed out that conflict has a disproportionately greater effect on the mental health of women, in comparison with men. Yet, while we hear, rightly, of the mental health challenges that are faced by male troops, there is precious little coverage or consideration of the mental health burden that is faced by women. Not only are the consequences for the mental health of women insufficiently appreciated; they suffer precisely when it is they who must take the lion's share of the responsibility for rebuilding families and communities.

Rape and sexual violence are weapons of war. Steve Crawshaw of Freedom from Torture has pointed to the rape and torture of women that was carried out by the Putin regime in Chechnya. Recently, reports were made on social media—I cannot confirm whether they are true—that

Ukraine was trending on various porn sites, as men anticipated the live-streaming of rapes.

Fortunately, Ukraine has encouraged women and children to get out of harm's way, while the men stay to fight. Around one million people, mostly women and children, have left. However, that separation, in and of itself, will have significant impacts.

What of the women who have stayed to fight? Estimates suggest that women on active duty make up nearly 16 per cent of Ukrainian armed forces. How women's fighting in wars affects them has been eloquently articulated by Svetlana Alexievich's writing on Russian women in the second world war. She highlights that war is seldom told from the woman's point of view. What interested her were the tales not of heroism but of "small great human beings". Those women learned quickly that there was nothing heroic about war and that the stereotypes of that time—and, arguably, now—did not want to acknowledge the strong, tough women. When those women returned home from the fight, their voices were missing in action.

Social media is full of photographs of the brave young women who are taking up arms in Ukraine. Those include a former Miss Ukraine—but why did we need a photograph of her in a bikini? She is there to defend her country, the same as any man.

Because of the nature of the conflict, the humanitarian infrastructure has been an early casualty. A few days ago, the entirety of United Nations and independent aid organisations announced their withdrawal. The support from those agencies will be limited for some time yet. That goes to the heart of war for women: their needs remain unheard, and the support structures need to be greatly extended. The major problem is structural. It is to do with men's structures—the framing of their issues—and it will take a huge amount of time to create the cultural circumstances for meaningful empowerment.

In a speech in January this year, UN High Commissioner for Human Rights, Michelle Bachelet, described how the involvement of women in policy-level peace building is deteriorating and is "vastly worse" than it was a couple of years ago, with, according to a related UN press release,

"an insidious uptick in a host of actions by spoilers aimed at silencing their voices."

Men make the policies, but it is mainly women who do the hard lifting, both during and after conflict.

Brave women of Ukraine, I salute you.

12:59

**Jenni Minto (Argyll and Bute) (SNP):** Women taking up weapons, women confronting Russian soldiers, women caring for their loved ones—they are upholding the fundamental rights of not just women and girls, but everyone, and I dedicate this speech to them.

Conflict often makes us think in different ways, to find solutions to life changed out of recognition. Persuading girl guides, sea scouts and schoolchildren to collect sacks full of curly red seaweed on Scottish beaches might not be the most obvious wartime activity, but the knowledge of marine biologist Sheina Marshall was to prove vital to British medical research during the second world war. Marshall and her colleagues identified that seaweed as the best home-grown source of agar, a jelly-like substance that was vital for growing bacteria in laboratories and the development of vaccines. Japan was the world's main supplier of agar, but when it entered world war 2, it became essential to find other sources.

As a child on the Isle of Bute, Sheina suffered from rheumatic fever. While she was recovering, she immersed herself in the writings of Charles Darwin. After graduating with a degree in zoology from the University of Glasgow, she made her life's work the study of plankton in marine food chains and the examination of the effect of fertilizers on marine productivity. The west of Scotland's coastline was her laboratory, and her pioneering work served her country through the war and beyond. Today, students at the Scottish Association for Marine Science in Oban study in a building named in Sheina Marshall's memory.

In 1934, Bessie Williamson started a summer job as a secretary at Laphroaig distillery on Islay. She was to have profound impact on the whisky industry. After owner Ian Hunter suffered a stroke in 1938, her managerial skills ensured that the distillery remained in good working order throughout world war two. After the war, she noticed that newspapers were giving increasing coverage to the merits of Scotch whisky's peaty notes. Instead of wasting Laphroaig's peaty punch in blends, Bessie began to market Laphroaig single malt, driving higher prices for a luxury product.

Her efforts were noticed by the Scotch Whisky Association, and she took on the role of US spokesperson, travelling across America promoting all Scotch whisky, but particularly single malts. So influential was Bessie Williamson that she became known as the first lady of Laphroaig, and she was awarded the title of woman of the year in the 1950s.

In 1987, Ray Michie fought and won, at her third attempt, the Westminster constituency of Argyll

and Bute. Politics was in her blood. As a teenager, at meetings in the far-flung constituency of Inverness, she supported her father as holding speaker until he arrived from previous meetings. As members will have heard me say, Argyll and Bute is diverse and contains 23 inhabited islands, which Ray visited regularly. She often turned her ferry trips into impromptu surgeries, which is something that I recognise.

Ray's two main aims at Westminster were Scottish self-government and the development of the Gaelic language. She was therefore delighted by the creation of her long-fought-for Scottish Parliament. I am sure that she would be delighted to see the increased representation of women in this session.

Those women—a scientist, a distiller and a politician—played an extraordinary role in the history of Scotland and the wider world.

To finish, I will quote from the international women's day website. This is particularly poignant with regard to what we are seeing in the independent country of Ukraine:

"Imagine a gender equal world. A world free of bias, stereotypes and discrimination. A world that's diverse, equitable, and inclusive. A world where difference is valued and celebrated. Together we can forge women's equality. Collectively we can all #BreakTheBias."

13:04

**Pam Gosal (West Scotland) (Con):** I thank the member for bringing forward such an important motion for members' business, celebrating international women's day. I, too, hold in my thoughts the women and girls of Ukraine while I make this speech. I am honoured to be opening today for the Scottish Conservatives, as the subject is close to my heart.

Tomorrow is the anniversary of my father's death. As a teenager and female coming from an Asian background, it was very difficult for me to suddenly become the head of the family and run the family business in a male-dominated sector.

That was not without its challenges, but I made it work. It is important to me, on this day, that we celebrate women's achievements and, most important, reflect on the challenges that women continue to face and the steps that we need to take as a society to remove the barriers that we have faced, for the next generation of women.

The theme of this year's international women's day is "Break the bias". Scotland has made many notable achievements in advancing women's equality, but we still have a long way to go in breaking down barriers for women in education and employment.

The education of young women and girls is of paramount importance. Education gives women choices and provides long-term sustainable economic growth for Scotland. If the future is digital, women need opportunities to be represented in the technological evolution. In 2021, young women accounted for 45 per cent of science, technology, engineering and mathematics students in higher education. Uptake of computer science is particularly low, with women accounting for only 16 per cent of computer science students. We must continue to encourage and promote STEM subjects to young women. Women's involvement in STEM-based employment will improve workplace diversity, as men currently make up 82 per cent of the digital technology sector.

I want to talk about the importance of removing obstacles to sustainable, long-term employment for women. Around half of mothers who had a flexible working request approved felt that they were treated unfavourably as a result, while 62 per cent of surveyed employers did not feel the need to conduct a pay review, because they considered themselves to be equal pay employers. Almost three quarters of black and minority ethnic women surveyed said they felt that they had experienced racism, discrimination or bias in the workplace.

On Tuesday, as a member of the Equalities, Human Rights and Civil Justice Committee, I heard first hand from witnesses about the disproportionate effect of lockdown restrictions on women. I heard, for example, that women experienced increased demands on the time they had available for employment, due to caring responsibilities, and that they were concerned for their financial security. I heard, too, that BAME women have experienced a larger negative impact on their income and employment. That was worsened by inadequate support and services, because one size does not fit all.

As a Parliament, as politicians and as individuals, we have a responsibility to ensure that women are properly represented in all spheres of life. First, we can make change happen through policy in this chamber and we can be a voice for women and girls. Secondly, we can empower women and girls and be role models who they can relate to. Last but not least, we have the power to open doors for other females. We have a duty to push for better female representation on boards, in politics and in leadership roles, so that decision making reflects women.

13:08

**Emma Harper (South Scotland) (SNP):** I congratulate my colleague Michelle Thomson on securing this extremely important debate to mark international women's day 2022. It is so good to

welcome the minister back to the front bench. As Ms Thomson's motion states, this year's theme is "Break the bias", which is intended to highlight the impact of conscious and unconscious bias on women and girls, and imagine a world free of bias, stereotype and discrimination. I, too, dedicate my time to the women of Ukraine.

Everyone has a choice to challenge stereotypes. We can choose to fight bias, broaden perceptions, improve situations and celebrate the achievements of women. It is important for us all to work to enable that to happen and to strive for gender empowerment and equality.

Members might recall that, in 2020, I secured a members' business debate on United Nations Security Council resolution 1325, which is on women, peace and security.

The resolution specifically addresses the impact of war on women, and the importance of women as negotiators in conflict resolution and in addressing hatred and discrimination. Janet Fenton, with her Secure Scotland hat on, highlights that security is not solely about the physical security of the country but about security of housing, education, food and clean water supply. As we are seeing the horrific conflict in Ukraine—and witnessing civilian casualties—it is even more important that we highlight the value of women, including the women of Ukraine, being included in negotiations to achieve peace. That is paramount as events unfold.

Internationally, Scotland, working in partnership with the United Nations, has pledged practical and financial support for women and girls to achieve that goal and to learn peace-building and conflict resolution skills. In doing that, women and girls will feel confident in challenging war and intolerance. In a joint Scottish Government-UN programme that runs over three days and consists of talks, seminars and lessons, women and girls will have access to international peacekeeping experts, female role models in positions of power and the opportunity to learn from each other. Will the minister reaffirm the Scottish Government's commitment to the programme, especially as we dedicate today's debate to the women in Ukraine?

Earlier this year, I became a Commonwealth Parliamentary Association UK gender champion. Recently, we had our first meeting and I met other gender champion parliamentarians, including some from Tasmania, Tanzania, Gibraltar and Grenada. The purpose of the CPA gender champions is to represent and advocate for CPA UK gender priorities within our Parliaments. The priorities are: championing and advocating for gender-sensitive spaces for women to enhance their leadership skills; supporting Parliaments to implement gender-sensitive approaches; and supporting the strengthening of gender-based

violence legislation. The bottom line of the role is to advance women's rights in our roles as parliamentarians.

From the initial discussion with CPA colleagues, I realised how far the Scottish Government and our Parliament have come in our journey to advance women's rights and inclusion in our democratic systems in Scotland. I look forward to advancing the role and I am happy to engage with colleagues from across the chamber about the CPA gender champion role.

There are many ways in which the Scottish Government is promoting gender equality and the empowerment of women. As events continue to unfold in Ukraine, it is so important to enable that. I thank members for speaking in the debate and I look forward to the minister's response. I support continued efforts to break the bias.

13:12

**Claire Baker (Mid Scotland and Fife) (Lab):**

As we approach international women's day, I welcome the opportunity to speak in Parliament on this year's theme of "Break the bias". I thank Michelle Thomson for bringing the debate to the chamber. I echo Ms Thomson's recognition of women in Ukraine and other war-torn countries—she made a powerful speech about that.

I warmly welcome Christina McKelvie back to the front bench.

I also thank Close the Gap for providing a briefing ahead of the debate.

International women's day has been marked for over a century. While it is a welcome opportunity for collective and individual action to celebrate the social, economic, cultural and political achievements of women, it is also a reminder of the bias, stereotyping and discrimination that women across the world are due to face each and every day of the year. This year's theme encourages us all to raise awareness of and take action against deliberate or unconscious bias that makes it more difficult to achieve equality. We need to actively call out gender bias, discrimination and stereotyping every time we see it, and, as policymakers, to take the steps needed to level the playing field.

Most of us will be familiar with the book "Invisible Women" by Caroline Criado Perez, which outlines inequalities in a society created for men, which too often ignores the needs of women. The book covers examples in all aspects of our lives, from heating in offices to emergency healthcare, highlighting the sum of the challenges that we face in breaking the bias.

In last year's debate on women's health, I spoke about the impacts of such bias, for example in

misdiagnosis in relation to heart disease. The inequality in approach means that women's health has been marginalised, unacknowledged and devalued; there has been and continues to be systemic, institutional and societal failures in the treatment that women receive and the public health messages and support that they are given. The creation of the women's health plan is a welcome step, but progress needs to be swift and comprehensive.

Discrimination continues to characterise many women's employment experiences in the Scottish labour market. It restricts the ability to enter and make progress in good-quality employment. That is particularly true for black and minority ethnic women and disabled women. In recent years, we have seen an increased focus on the gender pay gap, but little meaningful progress to address the barriers to equality in the labour market.

We know that the pandemic has more adversely impacted women, and the lesson must be learned that the delivery of services can be improved. Existing inequalities have been exacerbated and gender biases have been highlighted, as women have been more likely to take on additional caring responsibilities and to have negative impacts on their ability to take on paid work. Referrals to services for women and girls experiencing violence have increased during the pandemic, and access to often vital services has changed.

At the beginning of the pandemic, the likely negative impacts on women's inequality were highlighted. We need to question and examine whether appropriate steps were taken to mitigate those impacts. This morning, the Social Justice and Social Security Committee heard evidence on domestic violence and violence against women and girls. I urge members and the minister to reflect on the evidence that was heard this morning from organisations that told us that women were an afterthought in Covid planning and that they were disappointed that women do not seem to have been recognised significantly in this week's economic strategy.

We need investment in public services that recognises and supports women's needs, from investment in more flexible care provision to investment in workplace strategies that recognise changes throughout women's lives and how they impact on work and other activities. We have started to better recognise the bias that exists, but we are not yet close to breaking it.

We all support the principles of international women's day, but we must continue to work every day to achieve equality, diversity and inclusivity, so that we can forge equality for women in communities throughout Scotland and around the world.

**The Deputy Presiding Officer:** I call Marie McNair, who is joining us remotely.

13:16

**Marie McNair (Clydebank and Milngavie) (SNP):** I am immensely proud to be called to speak in this members' business debate on international women's day, and I congratulate Michelle Thomson on securing it and on everything that she contributes to the campaign for equality.

I stand with Ukraine and send strength, hope and love to the women of Ukraine.

I am contributing to this debate as the first female MSP elected for the Clydebank and Milngavie constituency. I feel a great sense of honour in carrying that achievement into the heart of our Parliament, and I hope that it sets an example to girls and young women in my constituency that encourages them to go for what they want to achieve and not be held back by bias and discrimination.

The theme of international women's day 2022 is "Break the bias". It challenges us to secure

"A world free of bias, stereotypes, and discrimination ... A world that is diverse ... inclusive"

and unbiased, and

"A world where difference is valued and celebrated."

We are urged to work together to "forge women's equality", as

"Collectively we can all #BreakTheBias."

As the first female MSP for Clydebank and Milngavie, I welcome the progress that has been made to secure equality by the Scottish Government and our Parliament. However, it is clear that there is much more to be done. We cannot let up our efforts to secure a gender-equal world. We also owe it to the brave and determined women who have gone before us never to give up. I pay tribute to those women for what they have done.

It is an honour to be led in the Parliament by the first female First Minister of Scotland. We do not have to cast our minds back too far to remember the courage and leadership that our First Minister showed in standing up to sexism and misogyny. She continues to show strong leadership every week in the Parliament when all the Opposition male party leaders line up to have a go.

I also pay tribute to Women's Aid and the wider support groups in my constituency. They are a tower of strength to many women at times of greatest need. Quite simply, they have saved lives and supported women.

International women's day challenges us to break the bias in our communities, workplaces, schools, colleges and universities. We must call out Government policy that discriminates against women. As a working-class woman who volunteered and worked in my constituency, I saw at first hand the inbuilt discrimination of the UK benefit system. When I was elected, I pledged to call that out at every opportunity. It is bad enough that those policies gave an inferior pension to women for many years and continue to withhold money that many female pensioners are due, but that discrimination has been turbo boosted by the so-called welfare reforms, such as the two-child policy and its abhorrent rape clause. In an appalling manifestation of bias, the policy forces women to have to declare the worst abuse by men. As Engender said to the Social Justice and Social Security Committee this morning, women are forced to expose trauma just to feed their children.

We also have the benefit cap, which denies families the basic subsistence rates, and they are already not enough. I could list many more examples. As we all know, the UK benefits system is biased against women, and I will continue to fulfil my pledge to call it out.

We must use the power of education to change attitudes to gender, and we must continue to support our schools, colleges and universities to do that. I recently spoke to a teacher, who told me of a time when they asked their pupils to draw a picture of a nurse and a pilot. The pupils proceeded to draw along gender lines, and the outcome was female nurses and male pilots. One pupil did not even know that a nurse could be male.

Although great progress has been made, that account illustrates the size of the challenge that remains. As the first female MSP for Clydebank and Milngavie, I welcome the opportunity to speak in the debate and urge everyone to break the bias wherever it exists. It is not too bold to imagine a gender-equal world; it is a necessity.

13:20

**Russell Findlay (West Scotland) (Con):** I thank Michelle Thomson for bringing the debate to the chamber. I agree with the content of her motion and with her support for the women of Ukraine.

Without wanting to turn this brief speech into an episode of "Who Do You Think You Are?", I will begin by delving into my family tree—I ask members to forgive me. My great-grandmother Nessie was one of three sisters. Her older sisters were Frances and Margaret McPhun, who both devoted their lives to fighting for women's rights.

Exactly 110 years ago, in March 1912, the two suffragette sisters left Glasgow for London, and they were among 148 people who were arrested for a mass window-smashing campaign. One newspaper reported scenes of

“unexampled outrage on the part of militant suffragists.”

Frances and Margaret were sent to Holloway prison, where they went on hunger strike and were violently force fed.

A decade ago, I reported on the centenary of the McPhun sisters’ heroic actions, which remain largely unrecognised. I tell that story in part in tribute to their actions, but also to illustrate the long, hard and continuing battle for women’s rights and equality. As the famous quote has it,

“Well-behaved women seldom make history.”

What would the McPhun sisters make of Scotland in 2022? It is a country that talks the talk about rights and progress, but our criminal justice system still abjectly fails women and girls. We need only look at the backlog of tens of thousands of court cases, many of which involve domestic violence; at female victims who spend years in agonising limbo while cases move glacially through the courts; or at how prosecutions can be casually abandoned with zero explanation. Somehow, the so-called “bastard verdict” of not proven still remains and is used disproportionately in rape cases. The Government has been talking about scrapping it for more than a decade. Furthermore, what about brave female victims of rape being forced into the civil courts to secure justice?

Today, outside Parliament, there will be a memorial protest to mark one year since the murder of Sarah Everard. It is shameful that women do not feel safe on our streets. However, even in their own homes, safety and security cannot be assumed. Last year, a 67-year-old lady called Esther Brown was raped and beaten to death in her Glasgow flat. Responsibility for that lies entirely with her killer, but he should never have been free to do what he did. He had already raped and violently assaulted a retired nurse in her home—he was jailed for seven years and was back out after five. He had 23 previous convictions. He was a registered sex offender who was supposedly being monitored by the police, but he was reportedly legally able to hide his past simply by changing his name.

If hand wringing and platitudes were any measure of success, our justice system would be world leading. However, the reality is that women are still fighting for basic fairness and equality. Warm words are all very good, but actions speak so much louder, as the McPhun sisters demonstrated 110 years ago.

**The Deputy Presiding Officer:** Given 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 Michelle Thomson to move the motion.

*Motion moved,*

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[Michelle Thomson]

*Motion agreed to.*

13:24

**Beatrice Wishart (Shetland Islands) (LD):** I, too, welcome the minister back and thank Michelle Thomson for bringing this important debate to the chamber.

I welcome the theme of this year’s international women’s day, which is “Break the bias”. The world’s eyes are on Russia’s invasion of and aggression in Ukraine, and I take this opportunity to reiterate Scottish Liberal Democrat solidarity with the people of Ukraine. A million people, mostly women and children, have been displaced in a week, and what comes next is uncertain. Biased views see conflict as a male arena, but women and girls are deeply impacted by war and can play active roles ranging from combatants to journalists and carers. We see in Ukraine how women are being forced to make difficult decisions about whether to fight or flee in order to save their families, their homes, their democracy, their freedoms and their way of life—the things that we take for granted.

Our eyes and attention have understandably been pulled away by other events, but we must not forget what is happening in Afghanistan. Women’s rights are human rights, but the Taliban has no respect for them. Unsurprisingly, the Ministry of Women’s Affairs in Afghanistan has been closed, and its Kabul headquarters now host the reinstated Ministry for the Propagation of Virtue and the Prevention of Vice, which monitors residents’ behaviour. In the 1990s, its members beat women who violated Taliban policies, including its strict dress codes and prohibitions on work and education. Taliban rules ban women and girls from secondary and higher education; they dictate what women must wear, how they should travel and what kind of mobile they should have; and they enforce workforce segregation by sex. All of those things are enforced through intimidation and inspections.

Although the biases and stereotypes about women’s roles and abilities are being taken to extremes, some women have pushed back, putting themselves at great risk by standing up for their rights. In Zabul, in south Afghanistan, women went to the education department and demanded

to be allowed to continue to teach and learn. After a compromise whereby girls and boys would be taught in separate places, the girls school reopened. However, such successes are sadly the exception. Afghan women report relentless feelings of anxiety, hopelessness, insomnia and loss because of their Government's actions.

Governments should keep us safe and empower us as individuals, not terrorise and restrict us. Harmful views about what women can and cannot do are limiting the lives of millions of women, and we must continue to demonstrate our support for women in Afghanistan and Ukraine. Let us break the bias so that we see the back of regimes that have no regard for human rights and the rights of women.

In the efforts to end conflict, women are often left out of the peacekeeping process. Between 1992 and 2019, women accounted for just 6 per cent of the signatories in major peace processes, despite research recognising the importance of women's involvement in peace and security issues to achieve long-lasting stability. UN Security Council resolution 1325 addresses the disproportionate impact of violent conflict on women and girls and recognises women's critical role in peacebuilding efforts. It shows bias to see women solely as victims of conflict. Women have an important place in rebuilding new societies after conflicts, and rebuilding provides a chance to transform social structures to ensure greater equality and enjoyment of women's human rights. We must call for women's inclusion in such processes around the world.

13:28

**Maggie Chapman (North East Scotland) (Green):** Presiding Officer,

"i want to apologize to all the women i have called beautiful  
before i've called them intelligent or brave  
i am sorry i made it sound as though  
something as simple as what you're born with  
is all you have to be proud of  
when you have broken mountains with your wit  
from now on i will say things like  
you are resilient, or you are extraordinary  
not because i don't think you're beautiful  
but because i need you to know  
you are more than that"

Those are the words of Rupī Kaur, a Canadian poet, author, illustrator and photographer, and I think that they capture something of the essence of this year's theme for international women's day.

Bias—conscious and unconscious—is deeply rooted in our patriarchal society. It is right that we come together to recognise that and identify what we need to do to challenge and dismantle the structures and cultures that perpetuate inequality. I thank Michelle Thomson for lodging her motion

and giving us that opportunity. I also thank the organisations and companies that sent briefings and information about their work. I, too, hold the women of Ukraine in the forefront of my mind.

Bias is systemic and deeply ingrained in each of us. It requires active thought to challenge it and break it down. One bias can be compounded by another. Intersections of difference make for a complex landscape of oppressions and inequalities. We have only to look at pandemic statistics to realise how older women were more likely to be furloughed than younger women and men and to realise how women of colour were more likely to face increased isolation, discrimination and abuse during lockdown, as we heard so eloquently stated in the Equalities, Human Rights and Civil Justice Committee this week. More broadly, we also know how disabled and poorer women suffer more in times of war than others.

Intersectionality matters and biases are not fixed. That is at the core of my intersectional feminism. The fight to tackle gender stereotyping and discrimination must recognise the multiple and overlapping impacts of other characteristics, such as race, disability and gender identity.

It is abundantly clear to me that tackling inequalities, wherever and whatever they are, is good for everybody. It is good for women, girls and men. Each and every one of us in the Parliament has a part to play in that collective struggle. We must recognise that the struggles that we fight in Scotland are connected to the struggles that are being fought by women and girls all over the world, as we have heard eloquently stated.

Perhaps it is especially poignant that I end as I started with the words of a woman of colour. Roxane Gay, an academic and writer, challenges us all:

"Women of color, queer women, and transgender women need to be better included in the feminist project. Women from these groups have been shamefully abandoned by Capital-F Feminism, time and again. This is a hard, painful truth. This is where a lot of people run into resisting feminism, trying to create distance between the movement and where they stand ... But ... Feminism's failings do not mean we should eschew feminism entirely. People do terrible things all the time, but we don't regularly disown our humanity. We disavow the terrible things. We should disavow the failures of feminism without disavowing its many successes and how far we have come."

We have come far, but the road is long ahead of us.

13:33

**Gillian Martin (Aberdeenshire East) (SNP):** I congratulate Michelle Thomson on securing this year's debate and her stunning speech. My

speech is not about the women of Ukraine, but my heart and my hopes are with them. Slava Ukraini!

Michelle Thomson has been a strong public voice for women for many years and has a wealth of experience in many areas. The chamber is now packed full of champions for women.

It is great to see the growing number of elected female politicians with lived experience of entrepreneurship and wide industrial sectoral experience. The light has been firmly directed on improving women's experience of work as a result of that increased representation. That experience suffers greatly from the impact of unconscious bias, particularly in career progression and accessing business support, so the theme of my speech is business support and support for women entrepreneurs.

I have spoken frequently about the work of Women's Enterprise Scotland. It is a shining example of what can be achieved when women with shared experience come together to effect culture change and push for outcomes that will close the gender enterprise gap and, as a result, boost Scotland's economy. Last week, Ms Thomson and I had the pleasure of joining Women's Enterprise Scotland and women business owners from across Scotland and around the world in person and online at their conference. The hot topic was, of course, the impact of the pandemic on female-led business.

At the same time, the Scottish Parliament information centre has produced an insightful and well-researched paper that has at its heart the experiences of a large cohort of women business owners by way of 10 case studies. It is called "The Impact of Covid-19 on Scotland's Women Entrepreneurs" and I encourage everyone to read it. The report summarises asks of female business owners, which mirror what I have been hearing for years as a former business owner and in the six years that I have convened the cross-party group on women and enterprise in Parliament. Those asks are better access to funding; dedicated seed funding for female entrepreneurs; more opportunities for women to come together to learn and network in their own communities; the creation of coaching and mentoring champions for women in every Scottish region; and the expansion of affordable childcare.

Those asks fall into two categories: directed and tailored business support that has a gendered lens; and the infrastructure of social support for those who have families and caring responsibilities. The Scottish Government has made significant commitments to both. Early learning and childcare have been rolled out, and I hope that, in years to come, we will see the scope of that increase. We also have as a manifesto

promise the establishment of a women's business centre.

Last week, at the WES conference, the economy secretary, my friend and colleague Kate Forbes, announced a new short-life review of support for women in enterprise and how the pledged £50 million will be invested in the current parliamentary session to support more women into entrepreneurship and enterprise. As it stands, women-owned businesses in Scotland are now only just 14 per cent of small and medium-sized enterprise employer business, and that is down from 20.6 per cent in 2017.

In a subsequent international women's day speech, I want to be able to say that the enterprise gap in Scotland is narrowing, because if it does, we will have a thriving economy with the injection of an estimated £7.6 billion in revenue from business gender parity.

**Emma Harper:** Gillian Martin is talking about women in enterprise. Will she welcome the Scottish Government's work in implementing and funding the women in agriculture programme?

**Gillian Martin:** As a north-east quine in a farming community, I do—absolutely and 100 per cent.

As Maggie Chapman said, gender parity helps men and women in society. However, only with targeted attention and unconscious bias of support decisions will we get there.

Finally, before I sit down, I want to welcome back my friend Christina McKelvie—the strongest of women.

13:37

**The Minister for Equalities and Older People (Christina McKelvie):** I thank the members who have given me a warm welcome back to the chamber. I am delighted to be responding to the debate. I thank Michelle Thomson for proposing the debate and for her incredibly strong and reflective speech. It will give us all pause for thought, and I am grateful for that.

We have covered a wide range of issues, reflecting the priority and seriousness that we all give to ending the inequality that women and girls still face in society, here and globally.

On the global picture, I want to pick up on some of the points that have been made. My heart and best wishes are with the women of Ukraine today. As Michelle Thomson said, war has a devastating and disproportionate impact on women and children. We have been watching some pretty horrific scenes on the news—women and children fleeing from their homes towards safety. It is such a desperate situation that our hearts go out to the

people of Ukraine and to all the women and children who are fleeing the war.

Beatrice Wishart reminded us that we must think about such situations and the impact that they have on a woman's decision to "fight or flee". I would put that in quotation marks, because that is exactly the decision that they must make, and they usually have to make it in the time that it takes to snap their fingers. Women are not deciding whether to fight or flee only in Ukraine; they are doing so in Afghanistan and in other parts of the world.

Emma Harper and Beatrice Wishart mentioned UN resolution 1325. Since 2016, the Scottish Government has contributed to the international women, peace and security agenda, which was initiated through invitation by the UN special envoy to Syria. The First Minister committed to funding a pilot project to train 10 women from the Syrian women's advisory board of the UN special envoy. After the pilot, the programme became known as the women in conflict 1325 fellowship programme and was delivered by Scottish human rights organisation Beyond Borders Scotland. It was assisted by UN experts and endorsed by the then UN special envoy to Syria.

When the women in conflict 1325 fellowship commitment came to an end in April 2021, the Scottish Government was presented with an opportunity to assess whether and how it would continue to fund activities in relation to the women's peace and security agenda. I would be happy to speak to Emma Harper, Beatrice Wishart and any others who might like to give us some understanding of their ideas on how we can continue the work. I look forward to hearing from them.

I think that we can all agree that the intention behind this year's theme—[#BreakTheBias](#)—is long overdue and is something that we are all working towards.

In response to members' contributions, I want to agree with Pam Gosal that this is a celebration: it is a celebration of Russell Findlay's great-aunties, a celebration of Pam Gosal herself becoming a leader in her household, and a celebration of all the women's organisations that have been mentioned today. It is a celebration of all the women's enterprise networks and other women's organisations that Gillian Martin and Marie McNair highlighted.

I want to celebrate all the amazing women with whom I work every day—many are in the chamber. In fact, they are all in the chamber, but there are also the women whom I see in the work that I do in my constituency and as a minister. I want to celebrate their roles, too.

I also want to celebrate friends and family. Indeed, I could not have got through the past year of my life without my friends and my family. I celebrate the role models, the activists, the care givers and the business leaders. I celebrate the women who deal with and overcome the obstacles that life puts in front of them, and their families and who continue to keep their lives on track day in and day out, just quietly getting on with things and smashing it. Today, they are the women of Ukraine. I also celebrate the people whom Jenni Minto mentioned: Sheina Marshall, Bessie Williamson and Ray Michie. International women's day is for all of you, so I thank you so much for all that you do.

The Government is tackling gender inequality at different levels by addressing the immediate and acute consequences, including the insidious violence and abuse that many women face and, likewise, the poverty, homelessness and ill health that blight the lives of too many women and girls. However, we must also continue to work towards the systemic change that we want and, ultimately, the end of gender discrimination. As Maggie Chapman reminded us, we need to do so for all women—minority ethnic women, disabled women, trans women and women of all ages, denominations, sexual orientations and backgrounds. If we make policy by taking an intersectional feminist approach that works for women in all their diversity, it will work for everyone.

As we all know, if we are to be successful at any level, it is vital that we have the evidence to ensure that we are taking the right action. That is because evidence tells us that we do the majority of the caring—paid and unpaid—and that, as a result, many of us work in the lowest-paid jobs, which are undervalued in society. That is where we need to break some of the bias. It runs alongside the gender-based violence and misogyny that we face throughout our lives.

That is why we continue to prioritise funding for violence against women services, and are providing more direct support than at any other time. Throughout the Covid pandemic, I and my officials have worked with Scottish Women's Aid and Rape Crisis Scotland. Between 2020 and 2021 we allocated an additional £10.75 million to services in order to deal with increased demand. Indeed, we quickly realised at the beginning of the pandemic that women would be victims of it.

It is why we asked Baroness Helena Kennedy to consider whether Scotland should have a stand-alone offence to tackle misogyny. We await her findings, which I hope will come soon. It is also why the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 will be commenced on 1 April 2022. It will establish a

legal framework for consistent access to self-referral so that a survivor can access healthcare and request a forensic examination without having to make a police report.

So many areas have been covered in today's debate; however, looking at the clock, I think that I will finish now. On doing more than what we have talked about doing today, I have to say that, as minister, I am happy to work with anybody from across the chamber who has new, refreshed or different ideas. It would be too easy for us to lose the momentum that we have gathered; history will not judge us kindly if we do. I plan to celebrate international women's day by celebrating all the women of this world, then I will roll up my sleeves for the work that we have ahead of us to break the bias.

I hope that you will all join me. [*Applause.*]

**The Deputy Presiding Officer (Annabelle Ewing):** That concludes the debate. I suspend the meeting until 2 pm.

13:45

*Meeting suspended.*

14:00

*On resuming—*

## Portfolio Question Time

### Rural Affairs and Islands

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

The next item of business is questions on the rural affairs and islands portfolio. If members wish to ask a question, they should press their request-to-speak button or put an R in the chat function during the relevant question. There is quite a bit of interest in this item of business, so I make the usual plea for succinct questions and answers to match.

### Dog Welfare

1. **Maurice Golden (North East Scotland) (Con):** To ask the Scottish Government what steps it is taking to promote the welfare of dogs. (S6O-00804)

**The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon):** We have taken a number of significant steps over the past few years to promote the welfare of dogs, including the introduction of new animal licensing regulations, stronger maximum penalties for the most serious animal welfare offences and Finn's law to provide additional protection for police dogs. Following the granting of legislative consent for the relevant part of the United Kingdom Animal Welfare (Kept Animals) Bill, we continue to work with other Administrations on proposals to restrict the number of puppies that can be imported in one vehicle and to prevent the importation of puppies aged under six months, heavily pregnant females or dogs that have had their ears cropped or that have been subject to other mutilations that would be illegal in the UK.

We also have a programme for government commitment to consult on extending licensing legislation to animal care services, which could include dog training, walking and grooming services.

**Maurice Golden:** Stealing a dog can affect the wellbeing of both the animal and the owner. It is not just a criminal justice matter; it is also an animal welfare issue. Unfortunately, the law currently regards stealing a dog as stealing an object. Does the cabinet secretary understand why I, animal welfare organisations and others are calling for the welfare impact of dog theft to be recognised in law?

**Mairi Gougeon:** I absolutely appreciate the points that the member has made, and I know that he and others are very passionate about the issue. Theft of a dog is a very serious matter, which I know can cause owners real anxiety and upset. It is only right that the criminal justice system is able to deal effectively with perpetrators of dog theft.

As the member alluded to, theft is a common-law offence in Scotland, with penalties up to life imprisonment available, and courts will take into account the circumstances of any theft when sentencing, including if a loved family pet has been stolen. Dogs and other pets are not, of course, the same as inanimate objects and, when the theft of a pet occurs, it can cause significant upset.

I appreciate the work and action that the member is looking to undertake in this regard and I would be more than happy to meet him to discuss his proposals further.

**The Deputy Presiding Officer:** I have four supplementary questions and I want to take all of them, so I again make a plea for brief questions and brief answers.

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** I feel favourably towards Maurice Golden's proposal for a bill, and I hope that he will reciprocate the feeling towards my proposed bill.

The cabinet secretary is aware of my Welfare of Dogs (Scotland) Bill, which fell last session due to pressure on parliamentary time. The bill's aim was to deter prospective owners from purchasing dogs online and from the horrible puppy factory farms.

Without wishing to ambush her, I ask the cabinet secretary whether the Scottish Government will look favourably on my proposed bill, which I will launch shortly?

**Mairi Gougeon:** I appreciate the member's question. I know that she has worked on the issue for a long time. It is a matter that she is very passionate about, as are other members across the chamber. The Scottish Government of course welcomes any proposal that seeks to improve animal welfare. We will of course carefully consider the contents of Christine Grahame's forthcoming bill, and I really look forward to discussing the measures that will be set out in it in due course.

**Colin Smyth (South Scotland) (Lab):** On the issue of animal welfare, why does the cabinet secretary think that hunting with a full pack of dogs is suddenly not cruel, just because a hunt has a licence?

**Mairi Gougeon:** My colleague the Minister for Environment and Land Reform is working on that matter. As the member will know, there has been

a consultation on the proposals, which will be brought forward in due course. I will be happy to have the minister follow up with the member.

**Mark Ruskell (Mid Scotland and Fife) (Green):** The Greyhound Board of Great Britain has finally released injury data from greyhound racing at Shawfield, which reveal that injuries in 2020 doubled in comparison with 2018. Given the growing evidence of the systematic abuse of greyhounds, including doping, does the cabinet secretary agree that it is time to explore all options for further regulation of that brutal industry?

**Mairi Gougeon:** We do not have plans to ban the racing of greyhounds in Scotland, but we would consider any recommendations that the Scottish animal welfare commission may make on greyhound welfare in due course.

We consider that the provisions of the Animal Health and Welfare (Scotland) Act 2006, as amended, are sufficient to ensure that action can be taken if the welfare requirements for greyhounds, whether they are still racing or retired, are not being met. The provisions in part 2 of the 2006 act apply to all people who are responsible for animals, including breeders, trainers and owners of racing greyhounds.

**Beatrice Wishart (Shetland Islands) (LD):** What more can the Scottish Government do to ensure the safety of latchkey dogs, which are dogs that are able to escape from private gardens? They can, in some cases, be responsible for livestock worrying, which is of particular relevance in rural and island communities at this time of year.

**Mairi Gougeon:** In that regard, I highlight microchipping, which is an effective method for identifying animals and can help to reunite dogs with owners, where a dog has been lost or stolen. This Government made it compulsory for all dogs to be microchipped and for contact details to be kept up to date, which helps to ensure the swift return of lost dogs. It is standard practice for enforcement agencies to scan all dogs that come into their care. I am happy to follow up with the member on the particular issues that she has raised.

## Food Production

**2. Michelle Thomson (Falkirk East) (SNP):** To ask the Scottish Government what its response is to the comments of National Farmers Union president Minette Batters, who stated that the UK Government is "focused on anything other than domestic food production". (S6O-00805)

**The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon):** The Scottish Government recognises the importance of domestic food production, in particular in these

uncertain times. We also recognise the huge challenges that our farmers and crofters face in producing our food, given the rising costs as a result of supply issues and the overall impact of Brexit on the agricultural sector.

We know, therefore, how important it is for the industry that support is maintained. That provides vital stability and certainty, which is why we will not remove direct payments, and why we have committed to maintain basic payments at current levels for the duration of the current parliamentary session.

That does not appear to be the Tories' approach in England, so I can understand the NFU president's frustration in that regard. Given how little George Eustice or any of the Department for Environment, Food and Rural Affairs ministers ever want to talk about food production or food security with me or with any of the other devolved Government ministers, I absolutely share that frustration.

**Michelle Thomson:** I note that the Scottish National Party Government has a strong commitment to active farming and food production. Nevertheless, given the recent comments of the chief executive of Scotland Food & Drink on the additional costs, complexity and risks that Brexit has put on food and drink businesses that are looking to do business with the European Union, does the minister share my concerns that small businesses may, in effect, give up their trade with the EU as a result of the additional red tape?

**Mairi Gougeon:** I share that concern, which is very real. As a result of the UK's bad Brexit deal, Scottish food and drink businesses now have to comply with a whole range of non-tariff measures including export health certificates and customs declarations, which can, as we know, include burdensome paperwork and a range of additional and increased costs, if they want to export to the EU.

The Scottish Government repeatedly warned the UK Government of the damage that would be caused by EU exit, which was astonishingly and recklessly pursued during the pandemic. Some businesses are now struggling to export goods to existing customers in the EU or have completely lost that trade altogether. Those are the inevitable consequences of the UK Government's decision to take us out of the customs union and single market, thereby agreeing to the imposition of third-country treatment in customs and regulatory terms. It is important to remember that in the first nine months of last year, Scotland's food exports to the EU fell by 10 per cent in comparison with the same period in 2019. The impact could therefore not be more stark.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** The Scottish Government's vision for the future of food production and farming, which was published yesterday, is thin on detail. On page 5, it states:

"emissions from agriculture are still too high; we are still not managing to do simple, obvious things".

Blaming farmers for food production emissions is a cop-out. Even Scotland Food & Drink's document, "Ambition 2030—A growth strategy for farming, fishing, food and drink", mentions climate change only once. Why has the Government failed to do "obvious things"—as it calls them—such as providing proper funding to farmers and a meaningful, fleshed-out plan?

**Mairi Gougeon:** It is a bit rich of the Scottish Tories to talk about proper funding when we are the Government that is committed to maintaining funding for our farmers, and to supporting food production and direct payments.

I refute the accusation that the Government is blaming farmers. That is absolutely not what we are doing. We recognise that emissions are too high. That is why we are supporting our farmers and crofters to lower their emissions and to do what they can to enhance biodiversity. That is part of the vision that we set out and will also form part of the proposals that we will bring forward in an agriculture bill next year.

**Willie Rennie (North East Fife) (LD):** We must apply more pressure on the UK Government to change its approach to the seasonal workers programme. It is having a devastating effect on farms in my constituency, which have shrunk in the last year. Last year we had rotten fruit and vegetables in the fields; we will not even have the plants this year, because we do not have the workers.

What discussions has the minister had with the UK minister about that? Is she hopeful that the UK Government will change its approach?

**Mairi Gougeon:** Willie Rennie raises a vitally important point. We are acutely aware of the concerns about the seasonal agricultural workers scheme. It is particularly frustrating that the announcement about the scheme was made on Christmas Eve, with no warning to, or discussion with, the devolved Administrations.

We have a frustration with the UK Government. We have monthly meetings with it and with the other devolved Administrations to talk about common issues. We have continually raised the importance of migration. We have sought meetings with Home Office ministers in an attempt to discuss that. Despite asking for that every month and following that up with letters in between meetings, we are yet to see any meeting take

place, which is really frustrating and disappointing when we are willing to work constructively with the UK Government to find solutions to those problems.

We have suggested a number of changes that could be made and I have also brought forward proposals for rural visa pilots. Unfortunately, we can only go so far when one partner is willing to engage in the discussion but the other is unwilling to do so. We continue to try.

**The Deputy Presiding Officer:** Question 3 has been withdrawn.

#### **Dairy Farmers (Supply Chain Sustainability and Fairness)**

**4. Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP):** To ask the Scottish Government what support it will provide to dairy farmers to promote sustainability and fairness in the supply chain. (S6O-00807)

**The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon):** The Scottish Government is absolutely committed to supporting our dairy farmers to farm now and into the future. We have ensured that dairy farmers are able to access support that is similar to what they had under the common agricultural policy before Brexit, such as the basic payment scheme and the greening payment. Sustainability is one of the key features of the Scottish dairy strategy, which was launched in February last year.

We are also working on the introduction of mandatory written contracts in the dairy sector, providing more transparency and fairness to the sector. I hope that more dairy farmers will also consider converting to organic and contributing to our plan to double the amount of agricultural land in organic production.

**Elena Whitham:** The cabinet secretary will be aware of recent negative press that targeted the dairy industry as a whole. Does she agree that Scottish dairy farms operate to some of the highest welfare standards, due to the robust and comprehensive legal frameworks protecting animal welfare? Recognising that many of our dairy farmers are losing or making very little money, does she agree that the value of provenance of milk is underestimated in the food supply chain? What support can be given to dairy farmers to assist them in working towards sustainable and regenerative farming, perhaps with an incentive to focus on school milk provision?

**Mairi Gougeon:** I absolutely agree with what the member says. I have visited a number of dairy farms in Scotland and do not recognise the recent portrayal of daily farming as having any relationship with what happens here in Scotland.

We have robust legislation to protect animal welfare and to enable our farmers to operate to the highest standards, which they do.

We want to see our dairy sector thrive in the future. Through the dairy growth board, domestic and international markets are scanned for those looking to increase trade and retail opportunities and to supply our high-quality milk to the making of value-added products such as cheese.

We also want to see more of our products placed in the public sector, such as in schools. I know that the member will be acutely aware of the work of a place that she has previously mentioned in the chamber, Mossgeil organic farm. The farm now supplies all the schools in East Ayrshire. We want to see more of that, through our food for life programme.

As I have mentioned Mossgeil organic farm, I take the opportunity to commend the people there for the work that they have done recently in relation to the war in Ukraine. They made an appeal for donations. I visited them on Monday to see the work that they are undertaking. They have made a huge effort to help Ukraine. I take the opportunity to commend Bryce Cunningham and Mossgeil organic farm for all the work that they have done, and continue to do, in supporting that effort.

#### **Agriculture (Gene Editing)**

**5. Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government what recent discussions the rural affairs secretary has had with European Union Governments regarding the use of gene editing in agriculture. (S6O-00808)

**The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon):** Although there have been no recent discussions with EU Governments regarding the use of gene editing in agriculture, I am aware that there is on-going consideration at EU level of novel genomic techniques, including gene editing, and how those relate to existing legislation on genetic modification. The Scottish Government's policy is to stay aligned, where practicable, with the EU, and we are closely monitoring the EU's position on that issue.

**Liam Kerr:** Gene editing—which, of course, is not genetic modification—is backed by Scottish farmers and has been shown to have benefits for them, animals and consumers. However, trials have now been given the go-ahead in England, so our farmers are in danger of being left behind, commercially and competitively, because this Government will not permit gene editing in Scotland. NFU Scotland recently expressed support for trials in Scotland and Professor Bruce Whitelaw of the Roslin Institute has come out as a strong advocate. Therefore, will the cabinet

secretary listen to the experts, put aside dogmatic adherence to EU rules and give the green light to trials of gene editing in Scotland?

**Mairi Gougeon:** Of course, we continue to listen and, as I have already said, Scotland's policy on genetically modified organisms has not changed. We remain opposed to the use of GM in farming, in order to protect the clean and green brand of Scotland's £15 billion food and drink industry. We are absolutely aware of the plans for the Department for Environment, Food and Rural Affairs to review the English regulatory definitions of a genetically modified organism in order to exclude those organisms that have been produced by gene editing and other genetic technologies if they could have been developed by traditional breeding. We are considering the implications for Scotland and we will continue to engage with DEFRA and the Welsh and Northern Irish Governments to ensure that devolved competences are respected.

**Jenni Minto (Argyll and Bute) (SNP):** As someone who eagerly desires to see Scotland become a good food nation and whose constituency is rich in some of the best produce that we could hope to find anywhere, I wonder whether the cabinet secretary shares my view that we must engage with that subject very carefully, in order to ensure that we do not undermine public confidence in the high standards of Scotland's agricultural sector and the quality of our produce.

**Mairi Gougeon:** Yes, I very much share that view because, as I previously mentioned, Scotland's policy on GMOs has not changed. We know that DEFRA is clear that it wants to make changes, and we have to make sure that changes that are made by DEFRA and the UK Government do not impact on Scotland. We are in discussion with DEFRA to ensure that a GMO-free Scotland is not compromised.

### **Regional Land Use Partnerships (Funding)**

6. **Emma Harper (South Scotland) (SNP):** To ask the Scottish Government whether it will provide an update on what discussions the rural affairs secretary has had with the land reform minister regarding the future funding of regional land use partnerships. (S6O-00809)

**The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon):** I am in regular discussion with the Minister for Environment and Land Reform on regional land use partnership pilots, which are funded from the net zero, energy and transport portfolio budget. The pilots aim to test approaches that facilitate collaboration at a regional level. They are looking to take a natural capital approach to maximising the contribution that our land managers make in addressing the climate and environmental crises. We have

provided some resource funding this financial year to support pilot establishment and will continue to fund them next year. Findings from the pilots will inform decision making on future development and funding.

**Emma Harper:** RLUPs, including those in Dumfries and Galloway and the Scottish Borders, help national and local government, communities, landowners and stakeholders to work together to find ways to optimise land use in a fair and inclusive way, as well as meeting objectives in supporting our net zero journey. Can the cabinet secretary provide any further information on how the pilot projects have worked? She has already answered the second part of my question by telling us that future funding will continue, and I thank her for that.

**Mairi Gougeon:** Last year, we announced that we would support five pilot RLUPs to establish themselves and, subsequently, develop regional land use frameworks by the end of 2023. The pilots are presently at too early a stage in their development to be fully assessed on that work but, should the pilots prove successful, we have committed in our programme for government to develop plans for a second phase, as of next year. However, RLUPs, as I previously intimated, are taking a natural, capital-led approach to the development of the frameworks. Again, we hope to have them in place next year and take forward further development from there.

### **Farming (Innovation and Technology)**

7. **Stephen Kerr (Central Scotland) (Con):** To ask the Scottish Government what steps it is taking to ensure that farms are at the cutting edge of innovation and technology. (S6O-00810)

**The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon):** Our vision for Scottish agriculture includes an undertaking to work with industry to improve business resilience, efficiency and productivity through greater deployment of innovation and technology. Through our strategic research programme, we offer in excess of £46 million each year to ensure that we remain at the cutting edge of innovation and technology. Additionally, we continue to deliver our commitment to develop vertical farming ambitions, support precision farming, through the sustainable agricultural capital grant scheme, and offer a test bed for innovation projects, through the knowledge transfer and innovation fund.

**Stephen Kerr:** Cutting edge, but apparently fairly ignorant of what gene editing is. It really is despairing to think about the quality of advice that the cabinet secretary must be getting on gene editing when it is as plain as daylight what benefits it can bring.

Setting aside any Scottish National Party fetish about the European Union, what assessment has the minister made of the economic impact of continuing her ban on gene editing of crops? When was the last review undertaken? What did it conclude about the effect that the ban is having on Scottish farming's international competitiveness? Will she publish the advice that she is receiving?

**Mairi Gougeon:** As I said in response to another question, Scotland's policy on genetically modified organisms has not changed and it will not change, because we remain opposed to the use of genetic modification in farming. Ultimately, that position protects the clean, green brand of Scotland's £15 billion food and drink industry.

When it comes to gene editing, as I have already stated in response to the previous question, we are continuing to monitor the situation and follow it closely.

**Gillian Martin (Aberdeenshire East) (SNP):** A highly innovative sector of agriculture is seed potato farming. I would like to hear the cabinet secretary's response to the United Kingdom Government potentially striking a Canada-style deal with the EU. Does she recognise that it is wholly inadequate to repair the damage that a hard Brexit has done to a highly valued part of Scotland's agricultural sector, not least in the north-east?

**The Deputy Presiding Officer:** That is at the margins of relevance, but respond to it briefly, please, cabinet secretary.

**Mairi Gougeon:** I absolutely share Gillian Martin's view on that issue, which is particularly relevant for the north-east and the potato industry there.

I continue to be extremely disappointed by the UK Government's lack of progress on that and on securing an equivalent agreement with the EU. The loss of the EU and Northern Ireland markets happened quite literally overnight, and it has been a significant blow to the sector. To be clear, that is a direct result of the UK Government's choice to pursue a hard Brexit and its lack of commitment to dynamic alignment with the EU. The Scottish Government has been pressing, and will continue to press, the UK Government to seek an urgent resolution to the EU decision.

### Fishing (Firth of Clyde)

**8. Jackson Carlaw (Eastwood) (Con):** To ask the Scottish Government how the 2022 regulations on the prohibition of fishing in the Firth of Clyde will impact fishing businesses. (S6O-00811)

**The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon):** The Scottish Government has continued seasonal Clyde cod

spawning closure for 2022 and 2023, from February to April, without exemptions. However, the closure has been adjusted to make it more targeted and focused. We believe that that measure will provide a higher chance of stock recovery and contribute to a more sustainable fishery in the west of Scotland.

For 11 weeks, fishers are not allowed to fish in key spawning grounds for cod, and that is crucial for the long-term sustainability of the stock. Despite the seasonal closure having been in place since 2001, the stock has shown very little sign of recovery. Responsible fisheries management means ensuring that we get the right balance between socioeconomic and environmental outcomes. In this case, we have done that by ensuring that there are the right protections for spawning cod while also ensuring that some fishing can continue to take place in surrounding areas.

**Jackson Carlaw:** I hear what the cabinet secretary says, but I wonder whether she heard Elaine Whyte, who spoke powerfully yesterday on behalf of the Clyde Fishermen's Association to the Rural Affairs, Islands and Natural Environment Committee. Ms Whyte made clear that the Firth of Clyde closures have left many fishermen with no other option, frankly, than to find alternative work. That is, of course, causing unbelievable stress, as many of them have fishing as a lifetime career. Furthermore, she is concerned that this might lead to us having no fishermen left in the area, and that the Clyde coast will end up being a forgotten coast in terms of fishing.

Will the cabinet secretary agree to listen to the industry, and will she outline compensation plans to support those who have been affected by this peremptory closure? Will she perhaps give a guarantee that, in future, she will consult the industry before taking such important measures that have such a profound impact on the industry?

**Mairi Gougeon:** I would just like to say that we are committed to listening to industry, and that is part of the process that led to the decision that was taken. We took a pragmatic and scientific approach to protect the areas where cod are spawning and, as a result, we ended up reducing the overall size of the area. That means that we have the protections in place at the same time that more fishing activity is enabled to continue. In line with Scottish Government policy, we will not be providing financial compensation for areas closed in order to protect fish spawning such as those in the Firth of Clyde. That is consistent with the approach that has been taken in respect of similar management measures including the national cod avoidance plan and marine protected areas.

**Kenneth Gibson (Cunninghame North) (SNP):** Will the cabinet secretary advise members

how Firth of Clyde fishing businesses will ultimately benefit from an increase in the tonnage of fish that they will be able to catch in future years through the conservation that is being introduced by the Scottish Government and will she touch on the benefits to the marine environment?

**Mairi Gougeon:** The closure is specifically aimed at protecting spawning cod, to help them to produce more eggs and hence larvae, and eventually more adult fish. If they are not protected, they will not lay the eggs to begin with and the biomass will certainly not improve. Introducing such measures gives a higher chance of stock recovery for fish stocks on the west coast and it will ultimately benefit people who make a direct living from the sea, onshore support businesses and the wider Clyde fishing community. An increase in the availability of fish will also help to reduce reliance on key shellfish species and open up opportunities for some businesses to diversify.

**The Deputy Presiding Officer:** That concludes portfolio question time. There will be a brief pause before the next item of business.

## Gender Recognition Reform (Scotland) Bill

**The Presiding Officer (Alison Johnstone):** The next item of business is a statement by Shona Robison on the introduction of the Gender Recognition Reform (Scotland) Bill.

Before I call the cabinet secretary, I will make a few brief remarks to the chamber. There is a great deal of interest in the work of the Parliament on the issue and it is, as always, important that we set the correct tone in our debate. The Parliament is charged with careful scrutiny of any proposed legislation and debates many issues about which people feel very passionately. In our debate, we must be able to hear each other and we must treat each other with respect, even when we disagree whole-heartedly. We can accept that there are opposing views while not sharing them. I am sure that all members will consider very carefully, as always, not just their choice of words but the spirit and tone in which they are delivered.

The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:28

**The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison):** I have introduced the Gender Recognition Reform (Scotland) Bill, which proposes reforms to simplify the process for trans men and women to obtain a gender recognition certificate. It is now for Parliament to consider the bill.

Trans people in Scotland risk inequality, harassment and abuse simply for living their lives. They are among the most marginalised people in our society. Recent Police Scotland statistics show increases in hate crimes with a transgender aggravator.

As a society, and a Parliament, we have a responsibility to protect and support minority groups that are at risk of harm. Under the Equality Act 2010, we have a legal duty to address discrimination against people with the protected characteristic of gender reassignment and Scotland must have a system of gender recognition in order to comply with international human rights law.

The current system has been in place for the past 18 years. There is evidence from extensive consultation—two of the largest consultations ever undertaken by the Scottish Government and one from the United Kingdom Government—that applicants find the current system intrusive and invasive, overly complex and demeaning. Many

trans people do not apply because of those barriers. That is why we propose to reform the process to make it simpler, more streamlined, more compassionate and less medicalised.

Our proposals for change and progress have caused discussion and debate. We know that some people have campaigned for such changes for years; we know that others have concerns. This afternoon, I will seek to allay some of those concerns by explaining what the bill does and—importantly—what it does not do.

It does not introduce new rights or remove rights; it does not change public policy or prevent single-sex services from being offered where appropriate; and it does not change rules or conventions that have been in place for years under the current system, for example in relation to access to toilets and changing rooms.

To anyone listening, I want to be clear that I will listen to the views of everyone, and to parliamentarians in and outwith the chamber, in a respectful manner throughout the passage of the bill. I urge everyone to do the same—as you did at the outset, Presiding Officer.

When it comes to gender recognition and wider issues that concern trans people, from healthcare to access to services, discussion has often become heated. I have often found the tone of debate on social media to be angry, unpleasant and abusive, both from trans people and from those who oppose gender recognition reform. I am concerned about the impact that that tone has, and particularly about how it further stigmatises and marginalises trans people in Scotland. That is not just an unacceptable way to behave towards other people; it is also unhelpful in getting a point of view across. We can disagree on issues without being offensive or abusive.

My meetings with stakeholders have shown that it is possible to have constructive, respectful conversations about the bill. I ask that the Parliament lead by example and that we work together to set a tone of respectful discussion with a focus on the specific reforms in the bill, just as we have done in the past, for example with same-sex marriage, which faced significant opposition at the time.

Trans people have been able to apply for legal gender recognition through a gender recognition certificate, or GRC, since 2004. Obtaining a GRC means that a trans person is legally recognised in their acquired gender and can obtain a new birth certificate that shows that gender. Not all trans people have a gender recognition certificate and no one is required to have one. The UK Government estimates that only around 6,000 of up to 500,000 trans people in the UK have a GRC.

Those without a GRC will often have made other changes, including to passports, driving licences and other official documentation. The bill's reforms will move the law closer to how people already live their lives.

For clarity, the GRC provides the legal recognition of changing a birth certificate, and I say again that that right has been in place for 18 years. It is the mechanism for obtaining the GRC that we are changing—nothing else. We are not introducing new rights for trans people and, importantly, we are not removing or changing any for women and girls.

Central to the proposed reforms is the removal of the medical element of the process. We propose that GRCs be issued on the basis of statutory declaration made by the applicant, rather than on the basis of a tribunal judgment that is based on a diagnosis of gender dysphoria.

The World Health Organization's revised international classification of diseases, which was approved in 2019, redefined gender identity-related health and removed it from a list of "mental and behavioural disorders". It took that step to reflect evidence that trans-related identities are not conditions of mental ill health, and that classifying them as such can cause distress.

Moving to a system that is based on personal declaration rather than medical diagnosis will bring Scotland into line with well-established systems in Norway, Denmark and Ireland, and recent reforms in Switzerland and New Zealand. We are aware of at least 10 countries that have introduced similar processes.

The process will remain serious and substantial. Making a false application will be an offence with penalties of up to two years' imprisonment or an unlimited fine.

The meetings that I have had over recent months while finalising the bill for introduction have allowed me to hear the range of views directly from stakeholders. I have heard from those who have concerns, and I have heard about the experiences of trans people who have been through the current process.

That work follows two of the largest consultations ever undertaken by the Scottish Government. The first, which in November 2017 sought views on the general principles of reform, received more than 15,500 responses, with 60 per cent agreeing that applicants for legal gender recognition should no longer need to produce medical evidence.

In December 2019, a second consultation on a draft bill received more than 17,000 responses. Although the consultation was qualitative, analysis

of group responses showed that a majority supported reform.

We have published independent analyses of the consultations, providing valuable summaries of the range of views.

Through meetings that I have had, I know that we are not going far enough for some people and that others would like us not to introduce a bill at all. However, overall, the evidence from the consultations strengthens the argument for reform and shows that there is significant support for reforming the process of gender recognition.

Our consultations provide clear evidence of the negative impact that the current system can have on trans people. The UK Government consultation in 2018 and its LGBT survey in 2017 also provided such evidence. Many respondents describe the GRC application process as outmoded, discriminatory, overly complicated, humiliating and invasive, and, despite living in their gender for many years, many trans people have not applied for a certificate for those reasons. I have heard about individuals' experiences of exclusion. I have heard of a trans woman who had transitioned nearly 30 years previously and therefore found the evidence requirements impossible, and of a trans man whose gender specialist had retired and whose national health service records had been lost, and who now cannot obtain a GRC despite having changed their passport and all other identification.

The analysis reports also set out the concerns of people who do not want reform. I know that some people are concerned about the potential impact on women and girls. I have met a number of people and groups, and I recognise that they feel deeply affected.

I am well aware of real and legitimate concerns about the violence, abuse and harassment that women and girls face in our society. However, trans people are not responsible for that abuse—indeed, they often face it themselves. We still live in a society in which, unfortunately, it is not hard to find sexist or misogynistic beliefs, and in which women and girls face violence at the hands of men. That is abhorrent and this Government is tackling it head on, providing support for services and focusing on prevention. We must be clear that all the evidence tells us that the cause of violence against women and girls is predatory and abusive men—not trans people. It is important that we do not conflate the two. There is no evidence that predatory and abusive men have ever had to pretend to be anything else to carry out abusive and predatory behaviour.

We are committed to advancing equality for women and protecting women's rights. That commitment is not affected by our support for

trans rights. We strongly support the rights and protections that women have under the Equality Act 2010, including the single-sex exceptions. That part of the act means that an exception is applied to the protected characteristic of gender reassignment. In practice, that means that trans people can be excluded from single-sex services in some circumstances, where that is proportionate and justifiable. The act's explanatory notes gives an example of a group counselling session for female victims of sexual assault. The bill does not amend the 2010 act. Nothing in the bill will erode or undermine women's rights.

Some of the concerns that I have heard relate to issues under the current system that, it is argued, will be compounded by our reforms. Such concerns include policies that are implemented by service providers for changing rooms and toilets. Other than for communal residential accommodation, the 2010 act does not apply exceptions specifically to toilets and changing rooms. Trans people can and do use those now, whether they have a GRC or not, and they have been using them for many years.

The bill's proposals have no direct effect on single-sex spaces, but I have heard arguments that suggest an indirect effect on two grounds: that there will be a significant increase in people obtaining gender recognition, or that the bill will drive a wider social shift. Based on international comparison, particularly with Ireland, which introduced a similar process seven years ago, we estimate that the number of applications might rise from around 30 to between 250 and 300 a year. That is a small number in the context of the size of the Scottish population. I have considered that and agree that we should monitor the impact of the changes, as with all legislation. I have therefore introduced new provision requiring annual reporting, including on the number of people who apply for and obtain a GRC. I hope that that will provide some assurance.

On the second argument about a wider societal shift, it is true that society moves on and attitudes change. We have seen that already with same-sex marriage, civil partnerships and the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018. There is greater equality in and acceptance of how we live our lives, who we love and how we solemnise our relationships. That is surely a good thing.

The acceptance and better understanding of trans people is another positive shift in society. The recent BBC poll shows that the general public are more accepting on trans inclusion than a look at social media would suggest. That is particularly the case among young people and women. Like everyone else, members of the trans community

have a right to live their lives without fear of prejudice and abuse.

The bill proposes that applicants must have lived in their acquired gender, but that the minimum period for that should be reduced from two years to three months, with an additional three-month reflection period. Some have argued for the requirement to be removed altogether, while others have argued for it to be kept at two years. Our view is that our approach strikes the right balance and provides valuable assurance.

We consulted on whether to lower the current minimum age for applicants from 18 to 16. We have carefully considered the issue, examining different views and evidence, and it is a question that is finely balanced. We have examined comparable systems in other countries, where a range of approaches are taken, including parental consent, a role for the courts and the requiring of evidence, and have considered those within a Scottish context. Those who have raised concerns say that under-18s are too young to make such an important decision. However, 16-year-olds can leave home, get a full-time job, change their name, consent to medical treatment, marry and vote.

Earlier this week, the Cabinet met the Scottish Youth Parliament, and members spoke eloquently about how young trans people feel excluded by a system that denies them access to legal recognition, particularly in the case of someone who wants to make the legal change before moving into further or higher education or employment.

We also recognise that such decisions are important, and it is vital that everyone who applies to the process, especially young people, fully understands and carefully considers the issues before doing so.

We have concluded that the minimum age should be reduced to 16, with support and guidance being provided to young people through schools, third sector bodies and National Records of Scotland. Under the oversight of the registrar general, National Records of Scotland will routinely give additional, careful consideration to applications from 16 and 17-year-olds. It will provide support on the process and, when necessary, will undertake sensitive investigation, which could include face-to-face conversations with applicants. Every 16 or 17-year-old who applies will be offered and encouraged to take up the option of a conversation with NRS to talk through the process.

One other change since the publication of the draft bill relates to the power to charge an application fee. There should be no financial barrier to achieving legal gender recognition. The draft bill included a power for the registrar general

to set a fee for applications, but that has been removed. It is our view that no fee should be charged, and removing the power gives a clear commitment to that.

Four of the five parties in the Parliament made clear their support for reform in their recent manifestos. However, I recognise that, for individuals—as is the case within the public—there may be a range of views. I understand the views and concerns of those who oppose the reforms. Just because they disagree with the proposals, people should not be automatically labelled as transphobic. If everyone is respectful, we should all be able to discuss the proposals and our views in a civilised manner.

However, it is clear that transphobia exists and, as elected representatives, we must ensure that transphobic discourse does not seize on to the concerns that people have about the bill. It is in that context that it is so important that we discuss our differences of opinion and consider the evidence in a way that is measured and respectful. I will maintain an open-door policy for MSPs who want to discuss any aspect of the bill.

Following some of the most extensive consultation ever undertaken in Scotland, the Gender Recognition Reform (Scotland) Bill is now introduced. It sets out the Scottish Government's proposal for a balanced and proportionate way of improving the current system. It is now for the Parliament to consider it.

I am happy to take questions.

**The Presiding Officer:** The cabinet secretary will now take questions on the issues raised in her statement. I intend to allow around 30 minutes for questions, after which we will move on to the next item of business. I would be grateful if members who wish to ask a question could press their request-to-speak button or enter R in the chat function.

**Meghan Gallacher (Central Scotland) (Con):** I thank the cabinet secretary for providing advance sight of her statement.

On behalf of the Scottish Conservatives, I welcome the tone of the cabinet secretary's statement. I agree that we must be constructive and respectful when we discuss this important but polarising piece of legislation.

The Scottish Conservatives recognise that improvements to the system would be beneficial for trans people. We will constructively scrutinise the proposals in the bill that may help to make the system and the process easier.

However, as they stand, the proposals do not protect women's rights and they do not offer enough protection for women's safety. The concerns of women are legitimate and reasonable,

and they are honestly and sincerely held. Will the cabinet secretary agree to listen again to the valid concerns of women who feel that their rights are under threat?

**Shona Robison:** First, I thank Meghan Gallacher for her tone and for her offer of constructive scrutiny. That is very welcome.

Concerns about women's rights and safety are of course sincerely held, and in my statement I have not suggested otherwise. We—I—have listened to those concerns. I understand them. That is one of the reasons why I am making this extended statement.

However, as legislators, we must always look at the evidence. The evidence is critical in relation to this issue. As I said in my statement, all the evidence shows that the threat to the safety of women and girls comes from predatory and abusive men, not from the trans community.

In addition, if we look at the experience of the 10 countries that have in place similar processes—Ireland, for example, has had such provisions for seven years—we see no evidence that some of the fears that Meghan Gallacher outlined have come to pass. We have to look at the evidence. I am sure that the Parliament will do that, collectively, through its committee work and through our cross-party work. We must make sure that we look at the evidence. However, I welcome the member's tone.

**Pam Duncan-Glancy (Glasgow) (Lab):** I, too, thank the cabinet secretary for advanced sight of the statement and for her tone.

This is about rights. The Parliament has been bold before—for example, in relation to section 2A of the Local Government Act 1986, which is also known as section 28—and we can, and I hope that we will, be bold again.

Trans people's rights are human rights. Trans people must be treated with the same dignity and respect as everyone else. Right now, the process of getting a gender recognition certificate does not do that. It is lengthy and traumatic, which is why we support the reform of the Gender Recognition Act 2004 and the demedicalisation of the process.

However, we must acknowledge that, in the time that it has taken us to get here, the Government has allowed a vacuum to develop, allowing fear and ignorance to prosper. The cabinet secretary said in her statement that some people are concerned about the potential impact on women and girls. As the bill progresses, it is essential that everyone's rights are protected.

The Scottish Government made a commitment to proceed in a way that would build consensus, but the reality is that discussion around the issue has become toxic for everyone involved and the

Government has not done enough to address that. Will the cabinet secretary set out how she intends to move forward in a way that brings people together, limits the opportunities for more hateful and abusive rhetoric and ensures that we can look back on this moment with pride? Will she set out how we can turn this moment into something that we can be proud of?

**Shona Robison:** I thank Pam Duncan-Glancy for her remarks and for her questions.

It has taken time to get to this point, and I think that we all understand the reasons: the complexity of the issue, and the two consultations. Getting to this moment has been a difficult process. That is the fact of the matter.

It is absolutely essential that everyone's rights are protected. As I set out in my statement, it is as important to set out what the bill does not do as it is to set out what it does. I therefore remind people that the legislation is about changing the process by which someone obtains a gender recognition certificate; it does not change any of the rights that are already held under the Equality Act 2010. That is important. Specifically, on single-sex services, I made it clear that there are exceptions whereby transgender people—even those who have a gender recognition certificate—can, in certain circumstances, be excluded from those services.

It is important that we try to build consensus. Part of that involves focusing on the evidence and on what the bill proposes, rather than on some of the other matters that are not related to the bill but that sometimes circulate around the discussion of the issue.

Over the past few months, I have tried to meet people who have pretty different views on the bill: from those who wanted us to go further with the bill to those who did not want the bill at all. In those discussions, I tried to focus on what the bill is trying to do, rather than on the issues that are not related to it. I will continue to do that, and I will have an open-door policy. However, it is the responsibility of all of us in this chamber to focus on the bill and try to answer the questions as best we can.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I thank the cabinet secretary wholeheartedly for her statement, which is most welcome, as is the legislation that she has introduced. I also thank her for her clarity, because clarity is so important. I echo her hope that we can conduct our debate and scrutiny of the bill in an atmosphere of informed respect. I am confident that the solemn scrutiny of this Parliament will get it right.

I offer the unconditional support of my party for the reform of the Gender Recognition Act 2004. The current process is harmful, illiberal and fails to

recognise the human rights of transgender people. Does the cabinet secretary share my belief that it is wrong that we still have to ask people to submit their gender to a group of people whom they have never met? Does she also agree that we need to design a system that is compassionate, simple and streamlined, and allows people to live their lives free from discrimination?

**Shona Robison:** Yes, I would agree with that. I thank Alex Cole-Hamilton for his questions and the tone of his contribution.

It is important that we listen to the experiences of people who are going through the process, and in my statement I tried to give a couple of examples of people's actual experience of that. It is interesting that, according to the UK Government's figures, there are around 25,000 people in the trans community in Scotland but only around 600 of them have a gender recognition certificate. I see the bill as the law catching up with how people are already living their lives. Far more of those 25,000 would have wanted to obtain a gender recognition certificate, but the process, as outlined in my statement and by Alex Cole-Hamilton, puts people off doing that, and we can understand why. We should focus on that.

"Compassion" is an important word here. We have a good tradition, in this Parliament and in Scotland, of showing compassion. Trans people are one of the most marginalised sections of our community, and the bill is important to them. It is important in saying who we are as a nation, as well. I hope that we can go forward on that basis.

**Joe FitzPatrick (Dundee City West) (SNP):** As has been said, the debate around gender recognition can at times involve the use of language that some people can find hurtful and derogatory. Following on from the remarks made by the Presiding Officer and all Opposition spokespeople, does the cabinet secretary agree that it is important for all of us, as Scotland's elected representatives, to set the tone of the debate by setting out our positions and listening carefully to the views of others in a respectful and courteous manner?

**Shona Robison:** Yes, I do, and I think that we have made a good start on that, through your remarks, Presiding Officer—if you do not mind me saying that—and the tone of the comments and questions so far. If we can keep that up, I think that we can lead by example in dealing with controversial and sometimes difficult issues. We have made a good start.

There has been much discussion and debate about the bill and the wider issues in relation to trans people. The tone of debate on social media especially has not been helpful. As I said in my

statement, I think that we can try to reset some of the debate and its tone.

As I also said, I will listen to everyone's views, and my door is open to members from across the chamber. I referred to meetings that I had with stakeholders, who have very differing views on the bill. The meetings with those who were most vehemently against the proposals were very courteous, and I thank those people for that.

The bill should not be portrayed as making people take sides or pitting people against one other. That is something that we, as parliamentarians, need to guard against. I therefore ask again that we in Parliament lead by example, as we are doing today, and work together, set a tone of respectful discussion and focus on the specific proposals that are actually in the bill.

**Alexander Stewart (Mid Scotland and Fife) (Con):** The Equality and Human Rights Commission said that simplifying the law on gender could have consequences for data collection, participation and drug testing in competitive sport, the criminal justice system and many other areas. Is the cabinet secretary convinced that the impact of the bill in all relevant areas has been considered?

**Shona Robison:** Yes. However, we continue to consider the impact of the bill, and the Parliament will do so as part of its evidence gathering and scrutiny of that evidence.

I am more than aware of the EHRC's correspondence and communication about the issue. I continue to correspond with the EHRC, because I want to know which evidence base it looked at before changing position from encouraging all of us, a year ago—before the Scottish Parliament election—as its number 1 ask, to include the demedicalisation process, to quite a different position now. It is entitled to do that, but we are also entitled to ask what the evidence base is for that. I am sure that the committee and the Parliament will consider that, but I am happy to continue to keep that dialogue open.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** I was glad to hear the cabinet secretary highlight that transgender people face harassment for living their lives and that some social media comments are just not acceptable. I have a constituent with a transgender child who has found some of the comments and misinformation about what the bill proposes very upsetting. Does the cabinet secretary agree that transgender people should be supported to get on with their lives without their human rights being prejudiced?

**Shona Robison:** Yes, I agree with that. Trans people just want to be able to get on with their lives, as part of society, without facing prejudice

and harassment. They want their legal documentation to reflect the way that they are already living their lives. That is a reasonable thing to ask and we should all work towards that goal.

As we have said a lot, the way that we talk about these issues matters. We know that a bad discourse on the issue has a direct effect on the trans community. I said in my statement that there has been a rise in hate crime with a transgender aggravator, which we should all be concerned about.

As with all debates on equality issues, it is really important to try to show empathy and understanding, and to appreciate that other people's experiences and feelings may be different from our own but that does not make them less valid.

I absolutely agree with Rona Mackay. We need to listen to the voices of some of the most marginalised people in our society.

**Claire Baker (Mid Scotland and Fife) (Lab):** I want to ask about the interaction between section 22 of the Gender Recognition Act 2004 and the 2010 act exceptions. The consultation on the draft bill noted that a question was raised about whether section 22 of the GRA could make it harder to use the general occupational requirement exception. In a letter to me in November, the cabinet secretary said that the Government would consider whether further exceptions to section 22 should be made and whether the Government would issue guidance on section 22. No changes seem to be proposed in the bill that was introduced yesterday, so does the cabinet secretary intend to issue guidance? Would the guidance be issued during the progress of the bill?

**Shona Robison:** First, guidance will be issued on a number of elements of the bill.

Let me be clear about the general occupational requirement exception. That does not change, because it is part of the Equality Act 2010. I can provide an example. If someone was working in the field of providing intimate care, it is, as is the case at the moment, absolutely legitimate for a patient or someone receiving social care to say who they do and do not want to provide that service. That is underpinned by the general occupation exception under the 2010 act. This bill does not change that at all. It remains as was. The important thing that I said in my statement was that the bill does not take any rights away. It does not give any more responsibilities or rights to anybody. What it does is to set out the change in the process for GRC, but the elements that I have referred to do not change at all.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** I, too, welcome the tone of the

comments made by members from across the chamber. It is very welcome indeed.

Does the cabinet secretary agree that the bill seeks to realise the rights of trans people and does not change the rights of anyone else? Does she agree that by standing together we further the rights of marginalised communities, as well as the resolve across society?

**Shona Robison:** That is an important point. We have always achieved rights for each other when we have stood together to strive for further rights and equality. The bill is about ensuring the achievement of current rights by allowing trans people to have better access to their existing rights to legal gender recognition. It is not about giving new rights to trans people. As I have said before, the bill does not change anyone else's rights.

The process to obtain legal recognition of gender has been around for 18 years. However, the consultation has shown that the current system is a barrier to many people who would otherwise apply. That is something that the bill will resolve.

I again stress the point that the elements and protections under the Equality Act 2010 remain—the exceptions are important. The Scottish Government supports those exceptions and the bill does not make any changes to them.

**Maggie Chapman (North East Scotland) (Green):** I thank the cabinet secretary for early sight of her statement.

We know that trans people in Scotland and in all parts of the world are at heightened risk of violence, harassment and discrimination, including human rights violations from bullying and verbal abuse to assault, rape and murder. Trans people are up to four times more likely than cis people to be a victim of violent crime.

The cabinet secretary has been clear about what the bill does and does not do. Can she reaffirm that the bill, as it progresses through Parliament, must not be used as an excuse to debate trans people's right to exist and will she outline what we can all do to ensure that we do not undermine the safety and rights of trans people?

**Shona Robison:** I agree that the bill is not about whether trans people should be able to live their lives as they wish. They have those protections explicitly under the Equality Act 2010, which has been in place for 12 years, and they have had the ability to obtain a gender recognition certificate for close on 20 years. It is important that we remember that the issues and the way in which we discuss them have a real impact on trans people.

As I said, hate crimes with a transgender aggravator recorded by Police Scotland have increased every year since 2014-15. That is not a good position and we need to change it. That is why it is vital that we think about the way in which we talk about such issues. Our language matters and how we conduct ourselves in the debate matters, too.

We are not setting one set of people's rights against those of another. All rights matter. We are stronger as a Parliament and a nation when we promote and strengthen everyone's rights.

**Ruth Maguire (Cunninghame South) (SNP):** I appreciate that the cabinet secretary stated that the legislation and the policy of self-ID does not change the protections afforded by the Equality Act 2010 in terms of single-sex provision. That is the aspect of the bill that my constituents ask about the most. I understand that many organisations and institutions are already operating based on self-ID and that it may well be working for them. That does not take away the need for female spaces for others. If the policy of self-ID is made law, how will the Government ensure that single-sex spaces and services for the purposes of upholding privacy and dignity, for example hospital wards, therapy groups, refuges and accommodation, are available to women and girls who need them?

**Shona Robison:** I know that the issues that Ruth Maguire has raised about the potential impact of the changes on single-sex spaces and services have been a clear focus. I want to provide further reassurance on that—as I did in my statement. I have made it clear today and in my engagement with people that the bill does not make any changes at all to the current position on the Equality Act 2010 protections—all it does is simplify a process that has been in existence for 18 years for obtaining a gender recognition certificate.

It is important to say that trans people do not need to have legal gender recognition or a certificate in order to access facilities that align with their gender. Those are protections that trans people and everyone else have under the Equality Act 2010, and nothing in what we are proposing will change that act or current practices.

On what Ruth Maguire outlined could be said of the current process—which trans people have used for years, with no evidence of widespread harm—although we may refer to facilities such as toilets and changing rooms as single-sex spaces, they are not legally defined as such under the Equality Act 2010 and, of course, GRCs are not necessary to access them.

On the wider point about healthcare provision and single-sex services, which could include

refuges and therapy groups, the Equality Act 2010 provisions will be unchanged. The act sets out the protected characteristics and provides for exceptions. As I mentioned earlier in response to Claire Baker's question, there is a general occupational requirement exception, which can be applied in relation to health services when that is appropriate—for example, where intimate health and personal care services are provided.

Our public services have managed those issues for many years. I understand that the EHRC will revise guidance. Perhaps that will help public bodies with the practicalities of how they manage those issues. However, the reality is that they have managed them for many years.

I am happy to keep discussing the details of those matters with Ruth Maguire and others as we take the bill forward.

**Tess White (North East Scotland) (Con):** Women's groups have felt sidelined during the consultation process, and they believe that the bill was a fait accompli before they had the opportunity to discuss it with the Scottish Government. What changes have been made to the bill following discussions with women's groups, which took place as late as January 2022?

**Shona Robison:** The bill is not a fait accompli. It has just been introduced in Parliament and it will be for Parliament—Conservatives and everybody else across the chamber—to scrutinise it, to look at the evidence, to hear all the different views about it and then to come to a conclusion about whether it should be supported. Our role as legislators is to scrutinise the evidence, which will be important.

I have spent a lot of time in meetings with people who are very supportive of the bill and with people who are vehemently opposed to it. I have tried to go through some of the issues and concerns that they have raised. I am not sure whether fears have been allayed, but it is fair to say that some of the fears and concerns are not directly related to the proposals in the bill; rather, there is general wider concern, which the bill will not change. There are issues that we could say relate to existing processes. However, fears are fears, and we have to do what we can to address concerns. I will continue to do that.

On the specific question about changes, I will mention one of the important changes that arose from listening to concerns. I was asked about how we will monitor the impact of the legislation. In response to that, we have introduced a new provision in the bill that requires annual reporting on the operation of the legislation. Ireland has done such reporting on the legislation there for seven years, including on things such as the number of GRCs that have been issued. That is a

concrete example of what we have done, having listened to concerns. The bill was changed accordingly.

**Karen Adam (Banffshire and Buchan Coast) (SNP):** I have spoken directly with young trans people and older trans people who have been through the process of obtaining a gender recognition certificate. They have fed back the importance of being able to get a GRC and have said that the current system creates barriers to doing so. Does the cabinet secretary agree with me that the lived experience of trans people is what is important, and that simplifying the process will better support trans people to access their rights and to live the lives that they want to live?

**Shona Robison:** Yes—I agree with that. Fundamentally, this is about supporting people who are already living in their acquired gender. It is clear from our consultations that many trans people, who already have a right to legal gender recognition, feel discouraged from applying under the current system, for all the reasons that we have talked about during the statement and questions. It is also clear that those who have gone through the process have found it to be lengthy, invasive and intrusive, having had their life circumstances and very personal details considered by a tribunal.

The bill seeks to remove those barriers to people accessing their human rights by removing the requirement for medical diagnosis and by reducing the period for which a trans person is currently required to evidence that they have lived in their acquired gender. It is important to say, however, that it will remain a serious and substantial process that will require applicants to make a statutory declaration that they intend to live the rest of their life in their acquired gender. In the case of a person making a false application, there will be a hefty fine—or, indeed, imprisonment in some circumstances.

I am glad that Karen Adam mentioned young people. I have heard directly from young people, who are very clear that they want to access these rights in an easier way, that there are too many barriers and that they want those rights when they become adults so that they can get on and live their lives as they want, in their acquired gender.

**Paul O’Kane (West Scotland) (Lab):** I welcome the introduction of the bill, and I associate myself with the comments of my colleague Pam Duncan-Glancy and with comments that members from across the chamber have made about the importance of respect in the debate.

I seek clarity on the proposed timescales. Delay has led to a vacuum, which is contributing to anxiety and, I think, to toxicity in public discourse.

As legislators, it is now our duty to scrutinise the bill, so clarity on the anticipated timescale for each stage would be welcome. Is the cabinet secretary in a position to outline that for Parliament?

**The Presiding Officer:** I hope that you could hear that clearly enough, cabinet secretary.

**Shona Robison:** I think I got the gist of it.

Parliament sets the timetable for bills: the stage 1 debate, then stage 2 consideration and then stage 3. The role of the committee is crucial. Now that the bill has been introduced to Parliament, it is for Parliament to agree the timeframes in order to ensure that there is proper consultation and that Parliament can consider all the evidence. I hope that that reassures Paul O’Kane that we can get on with the job of getting the bill scrutinised and debated, now that it is in Parliament.

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** [*Inaudible.*]—clarify the ways in which the requirement for a diagnosis of gender dysphoria has become increasingly recognised as outdated and should no longer be considered as a mental disorder?

**The Presiding Officer:** Cabinet secretary, would you like me to ask Ms Nicoll to repeat that?

**Shona Robison:** No, I think I got it. It was about what I said in my statement about moving away from gender dysphoria being regarded as a mental disorder.

As I said in my statement, central to our view of a balanced and proportionate way of improving the system is removal of the requirement for a medical diagnosis of gender dysphoria, for all the reasons that I outlined in the statement and in response to questions so far. The bill sets out that the application process will be based on a statutory declaration that will be made by the applicant. I have set out why I think that so few members of the trans community have a GRC.

As I mentioned in my statement, the World Health Organization’s role in recategorising gender identity as related to health has been helpful. Trans identity was previously thought of as a mental health disorder, but the WHO took that step to reflect that it is not a mental ill health condition, and that classifying it as such can cause distress.

It is worth noting that the House of Commons Women and Equalities Committee, in its “Reform of the Gender Recognition Act” report, which was published in December, called for substantial changes, including demedicalisation of the process. There is recognition, not only in Scotland, that the process needs to be reformed; we can lead the way on that.

**Pam Gosal (West Scotland) (Con):** In the equality impact assessment for the bill, the question is asked:

“Do you think that the policy impacts on men and women in different ways?”

The Scottish Government's answer is that it does not, but every single women's group to which we have spoken says that it does. Does the cabinet secretary think that the Government has given proper consideration to the views of women's groups?

**Shona Robison:** The equality impact assessment has been an important part of the process, and a full equality impact assessment has been done.

I accept that there are some women's groups, and some women, who oppose the policy, but there are also many women and women's groups who support it—not least, women's groups that provide support to some of our most vulnerable women. It is interesting to look at the BBC poll, which really does not reflect that argument. Support for reform of the gender recognition process was highest among young people and among women, and women were far more sympathetic than men to the need for a reformed process.

It is important that we recognise that women have a range of views on the policy, but it is not accurate to say that most women oppose it; the facts suggest otherwise. What is important, however, is that we take seriously the concerns that Pam Gosal and others have raised, that we do not ignore them or dismiss them and that we address them.

However, we have to point out that many of the issues are not related to what the bill is about, but represent a more general concern. Some of that might be about the feeling that we are not making the progress on women's equality that we need to make. As a woman who has been campaigning for women's equality for decades, as a feminist and as the mum of a daughter, I get frustrated about that. However, that is not the fault of the trans community. We have work to do to ensure that we can progress women's equality. Let us keep talking about it, and let us try to reassure people where we can.

**John Mason (Glasgow Shettleston) (SNP):** It is clear that some health issues are linked more to biological sex, which cannot be changed, than to gender. Will organisations that are involved in healthcare, such as the national health service and the Scottish Prison Service, be expected to keep records of both sex and gender?

**Shona Robison:** People are able to change their gender under the current 2004 act.

Interestingly, the existing gender recognition legislation talks about gender and sex. The bill makes no changes—none at all—to legal requirements, policy on data collection, record keeping or the criminal justice system. All public bodies must ensure that their policies and practices are in line with the Equality Act 2010, which sets out protections for the protected characteristics, including sex and gender reassignment, and exceptions for protection of single-sex services, among other things. The bill will not change any of that.

On prisons—this is an important point to make, because the issue has been raised with me and with others—obtaining a gender recognition certificate does not automatically provide access to specific accommodation.

The Scottish Prison Service already makes decisions about accommodating trans prisoners in a way that seeks to protect the wellbeing and rights of the individual as well as the welfare and rights of others. If the service's risk assessment is that a person should not be placed in the women's estate because they pose a risk, they will not be placed there. Similarly, if the service assesses that a person could be at risk themselves, they will not be placed where they could be at risk. That already happens. The Scottish Prison Service is reviewing its policy on transgender prisoners to ensure that it continues to get that right. That is what our public services should be doing.

**The Presiding Officer:** That concludes the ministerial statement on the introduction of the Gender Recognition Reform (Scotland) Bill. There will be a brief pause before we move to the next ministerial statement.

## Justice (Risk Assessment)

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

The next item of business is a statement on the justice system's approach to risk assessment by the Cabinet Secretary for Justice and Veterans, Keith Brown. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

15:22

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** I will update the Parliament on an issue affecting the level of service and case management system, also known as the LS/CMI system.

LS/CMI has been used in Scotland as a paper-based system since 2006, and as an information technology system since 2010. It supports risk assessment and case management for individuals with a history of offending. The LS/CMI system is used by social work and prison staff as one part of a wider set of processes to inform a number of decision points within the criminal justice system, including sentencing decisions, programmes access and prison release decisions.

In 2019, the system was centralised. As of 22 November 2021, all 32 local authorities and the Scottish Prison Service, which had each previously hosted the system locally, were migrated on to a centralised IT system.

The LS/CMI risk assessment tool is not the only risk assessment that is used within the justice system. A number of different tools are used for a variety of different types of offenders. This issue relates only to the LS/CMI risk assessment tool. A number of validated risk assessment tools support and inform professionals in their decision making. Those include risk assessment tools specifically related to violent offending, sexual offending and intimate partner violence and stalking.

In the prison environment, LS/CMI is used as one of a suite of risk assessment tools. The choice of risk assessment tool in that context is partly influenced by the nature of the index offence. Management of the assessed risk is governed by a multidisciplinary team of professionals referred to as the risk management team. The RMT is chaired by a prison senior manager who is supported by a range of professionals including, but not limited to, criminal justice social work, psychologists, health professionals, Police Scotland, local authorities, chaplaincy and third sector agencies. The challenge of assessing and managing risk draws together that diverse range of professions in the shared objective of protecting the public by preventing or minimising harm.

A recurring theme in risk management practice is the need to balance the safety of potential victims with the human rights of the offender. This multidisciplinary approach, which involves a range of professionals, is also often used for managing individuals within the community setting. Risk assessment is dynamic and, as members see, it is holistic in its nature and is never based on one assessment within the system.

I will explain in detail the circumstances relating to two issues that have been identified, and outline the precautionary measures that have been taken at every step to ensure that confidence in Scotland's public protection arrangements is maintained. I apologise in advance for the somewhat technical explanation around some of the factors at play. Given the importance of the issues, it is right that we take a precautionary approach.

Following a call about a single case, which was raised by a user to the system helpdesk in January of this year, the system issue was explored by the IT managed service provider for LS/CMI and by the Risk Management Authority, which both provide a helpdesk service for the system. That work sought to understand whether the issue affected just that particular user or was more widespread. Following those detailed investigations, it became apparent last week that the issue affected other users of the system, and test scripts were immediately developed to identify affected cases.

The particular systems issue affects the display of information in the risk assessment part of the system. In some particular instances, the numerical risk score value does not match the risk score level that is displayed by the system. A systems issue appears to prevent any subsequent changes being made to that risk level when new information has been entered.

As of this week, there were 103,394 assessments in total on the live system and, of course, individuals can have more than one assessment. There are approximately 24,000 open cases on the live system. An open case is one where there is some on-going management of the individual in the justice system, which requires use of LS/CMI. I am advised that, from the work that was carried out over the weekend, there were 1,317 assessments where the calculated score did not match the final risk need or level. Of those assessments that were affected, 1,032 relate to closed cases and 285 relate to open cases.

The system enables social workers to override the risk level shown on the system and, of the 1,032 closed cases, there are 537 where an override has been applied by social work. That is the professional judgment being applied to a risk assessment. That means there will be 495 closed

cases that appear to contain a risk level that is affected by the system error. The 537 cases that have an override applied will need a case-by-case review to determine whether the override superseded any error.

Officials have taken immediate action to review open cases that the justice system is still managing, and I will say more about the review process shortly.

On Friday of last week, my officials issued an immediate update to users of the system—principally, justice social work but also SPS staff—to make them aware of the issue and provide a temporary solution, so that cases could be identified on the system and a form of override applied.

Work is on-going to identify the specific affected cases and, on Tuesday, my officials issued details of the open cases and locations of those cases to users of the system, and asked them to specifically review risk levels and scores and take any necessary actions.

The action in those cases will have been for users of the system to determine whether the risk level that was shown for the cases that they manage was correct, and to apply an override if not. Users of the system were also asked to involve partners, if there was any impact on the on-going management of that individual within the justice system. My officials are assembling returns from users of the system as they do so. To date, 150 returns have been received, and no users of the system—social worker or SPS—have advised the Scottish Government of any public protection risk as a result of that systems issue.

Justice social workers, whether community or prison based, are trained professionals and will always apply professional judgment to every individual that they manage. The nature of risk assessment is holistic and wide ranging. It is not mechanistic and is never solely based on the LS/CMI risk assessment tool.

The initial error has been investigated as I have described. Further to that, and as part of that investigation, previous change logs and helpdesk calls have been reviewed in parallel, to explore any issues that interact with the systems issue. It seemed only sensible to do that. From those investigations, it appears that there might be another area of risk scoring, in relation to alcohol or drug use, that creates an error. Although the extent of that is not known, it is clear that it might affect the risk score. As presently reported, the initial evidence on the system indicates that the score is likely to be higher rather than lower, so it overstates risk rather than understates it.

Given that this second issue has been identified as potentially affecting cases, I have—again as a

precautionary measure and to ensure that we take no risks with public protection issues—agreed the following actions.

All social workers have been asked to review all open cases on the following priority basis: cases that are due for imminent consideration of release from prison, or for entry into multi-agency public protection arrangements, or to move on to licence.

Justice social workers have been asked to move, with immediate effect, to the paper-based system that is part of the agreed contingency plan in the event of any system failure. Extensive support from Community Justice Scotland has been put in place should there be any immediate training implications. Other risk assessment tools in the system are paper based, however, so the system that those professionals move to will already be familiar to many of them.

We are working with the IT company that manages the system and, if necessary, additional expert IT capacity will be deployed to assist with the rigorous assurance process of every element of the system that we now need to carry out.

I have convened a risk review group, which will be led by the Risk Management Authority, to work through, as a matter of priority, the open and closed cases to assess whether the errors have had an impact on how those cases were managed in the system. I reiterate that this work is being done to provide further assurance, and not because we are aware of any issues around the management of offenders due to the issue. I am keen that this work concludes swiftly, and I am, of course, willing and eager to report back to the Parliament on its outcome as soon as that group has concluded its work or has initial findings that it is appropriate to share.

In terms of further actions, officials have written to other justice partners with an interest in these matters, including Police Scotland, the Parole Board for Scotland, the Scottish Prison Service and the Scottish Children's Reporter Administration. Officials have also written to victims organisations to ensure that they are sighted on the issue and so that officials can offer necessary reassurance around the work in hand. If any of the victims organisations would find it reassuring to meet with me so that I can reassure them about the actions that are being taken, I am more than happy to make that offer, as well as to involve them in these processes.

I have also written to the Criminal Justice Committee today, to make it aware of the issue. I will continue to update the committee as more information becomes known.

It is important to reiterate that this issue has not resulted in any concerns being expressed by social workers, in the community or in prisons,

around any offenders who are in the justice system. Our approach will always be precautionary and evidence based.

I am updating the Parliament on the issue to ensure openness and transparency, but I hope that the steps that have already been taken, and the openness with which we are dealing with the matter, provide members with some reassurance.

I have confidence in the professionalism of our justice and health professionals who every day manage changing and evolving risk across a range of offenders. As has been explained, LS/CMI will never be the sole determinant of how the justice system deals with the risk that is associated with an individual. There is much more by way of judgment and process involved, and determination will often involve a multidisciplinary range of professionals, who are never just following what is displayed on the system. I am very grateful to them all for their continued support in ensuring that we retain confidence in how we protect the public from offending behaviour as we move forward.

I will continue to update the Parliament on the matter, as appropriate. I am happy to take any questions.

**The Presiding Officer:** The cabinet secretary will now take questions on the issues that have been raised in his statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business.

I would be grateful if members who wish to ask a question would press their request-to-speak button now or type R in the chat if they are using BlueJeans.

**Jamie Greene (West Scotland) (Con):** We now know why this mysterious, last-minute statement on justice was kept quiet until it was released to us. Wow! Clouded in jargon, it all sounds like a simple technical error off the back of another bungled IT centralisation project. The reality, though, could not be more stark—or, actually, shocking. These are vital systems that are used to score the risk to the public of criminals before they are released early. The admission today that there are potentially hundreds of cases in which the assessment of that danger was wrong will be—and should be—a source of grave concern to us all. The fact that there are 495 of them is shocking.

The justice secretary reassures us, of course, that officials have checked 150 of those cases so far, and he tells us that

“no users of the system ... have advised the Scottish Government of any public protection risk”

whatsoever as a result of the so-called “systems issue”. The key word that he missed out there is

“yet”. They have not found any public protection risks yet, because they do not know the full picture yet.

Trying to disguise this in technical jargon is one thing, but let me try to get some immediate clarity for the public. First, how many prisoners were released early or wrongly when they should not have been? Secondly, when will the public find out whether they have been put at risk, in any way whatsoever, by any of this gross incompetence? Thirdly, will the justice secretary categorically rule out—right now—the early release of any prisoner whose assessed risk to the public is, or even might be, wrong?

**Keith Brown:** The member makes reference to a centralisation process—I forget how he described it—in a derogatory way. We do not know this yet, but it may have been the centralisation, which happened in 2019, that was the means by which the technical glitch, which is what it was, was discovered. However people may like to describe it, there was a technical problem with the program. Centralisation meant that all the councils and the Scottish Prison Service were on the same system, which may well have helped us to find the issue in the first place.

I mentioned that the work is on-going. We were advised of the situation last Friday. The work that has been done over the weekend and right up to this point has led us to the statement that I have made and some of the facts that I have given, but there is more to be done. I have been very clear about that. There is no way around the technical information. I would have been slated had I not given the technical information behind the issue.

It is true to say, and I am perfectly willing to admit, that I would have liked to come to the chamber with all the facts in front of me, but there was also pressure to tell the Parliament as soon as possible. I have conceded that more information will come out, and I will be happy to report to the Parliament in the future.

The member asked whether anybody has been released. I have given the facts as I know them, which are that all the returns that have come back so far indicate that there is no risk of somebody having been released early. On the second point, which was to do with the alcohol factor, it may well be that the risk was overstated. However, we will, again, have to wait until more facts come forward.

Therefore, there is no evidence—as yet, as the member rightly said—of any risk to the public from anybody having been released when they should not have been. As I have said, more information will emerge. It is not the 495 cases that the member talked about but the 200-plus that I mentioned, 150 of which have come back so far. However, it is also true to say that there is a much

bigger piece of work needed to go back through the history of the situation right to 2012, to make sure that we got it right in relation to the closed cases as well.

I am trying to be as open as possible, and I am happy to come back to the Parliament and answer more questions in the future, when we have more information.

**Pauline McNeill (Glasgow) (Lab):** I thank the cabinet secretary for bringing this urgent matter to the attention of the Parliament. A pre-brief would have been helpful to provide some explanation of the system and the terminology in the statement. I recognise that the social workers and health professionals and their risk management teams will be working very hard to resolve the issue. It is not at all clear to me from the statement what the real risk is to communities from what seems to be quite a significant error. That is my sense, having had first sight of the statement only an hour ago.

I realise that social workers and multi-agency partners will be taking a holistic approach to all cases. Will the cabinet secretary give an example of how the issue may be detrimental to offenders, given that he said in his statement that the risk might be overstated? More importantly, where it might put communities at risk, what is the cabinet secretary potentially concerned about? I think he said that there are 1,032 cases to be reviewed in total. Will he confirm whether I have understood that correctly and what resource will be needed to review what seems to be a high number of cases in a system that relied so heavily on an IT model?

**Keith Brown:** I will answer as many of the questions as I was able to take in. On Pauline McNeill's first point, she is right that it is technical information and the statement has lots of that information, including the figures that I mentioned. She asked for something like a glossary or explanation of some of the terms. There is more information in the letter that I have sent to the Criminal Justice Committee, because it is easier to put the information in a letter.

I am sure that the committee will want to discuss the issue in the future, and I am more than happy to provide further explanation and briefing on it if the member wishes. A great deal of work is being done by the social workers and the review panel that I have set up. That will involve a substantial amount of work for the people involved, which will be done as a priority.

Pauline McNeill mentioned the issue of risk, which I mentioned in relation to the alcohol aggravator. Bearing in mind that the final judgment on a case is a professional judgment by the people involved in the system, the risk scoring, which seems to have been the issue, was giving that aggravator too high a bearing. Sometimes,

when alcohol was no longer deemed to be a risk factor, the risk scoring might not have been showing a reduction in risk. That is one of the things that is being investigated.

I am happy to provide more information to the member. Either she can write to me or, since both she and Mr Greene are on the committee and the convener is here too, I am happy to provide information through that route and to come back to Parliament as well with more information when we have it.

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** In his statement, the cabinet secretary mentioned that, in the prison environment, the LS/CMI tool is used as one of a range of risk assessment tools. Will the cabinet secretary expand on what other risk assessment processes are working alongside that system?

**Keith Brown:** The member is correct in saying that it is never just the LS/CMI assessment that determines, for example, prison release. A multidisciplinary team of professionals, which is referred to as the RMT, governs the management of assessed risk in prison. A prison senior manager chairs the RMT, supported by a range of professionals including, but not limited to, criminal justice social workers, psychologists, health professionals, Police Scotland, local authorities and third sector agencies. A range of other specialist tools for assessing the risk of sexual and violent offending are also often used alongside the LS/CMI—it is not, to use the old phrase, the only tool in the box. It is probably not even the most important one, considering the professional judgment of the list of professionals that I have just given.

**Russell Findlay (West Scotland) (Con):** Yet again, the Scottish National Party's justice system fails law-abiding Scots. On the day that the Parliament debates international women's day, we do not know how many women that incompetence has put at risk. The cabinet secretary has to approve the first grant of temporary release applications for murderers and rapists who are serving life sentences. I have a specific question: are any of his approvals among the botched cases? If so, how many?

**Keith Brown:** Notwithstanding the further work that we have to do, I am confident that the answer will be one that reassures the member—he will perhaps be reassured if I write to him with the exact details of the matter.

The member is making an outright political attack when the matter is quite serious and the public are possibly concerned. Honestly, we are just getting sick of this script—"The SNP Government this, the SNP Government that." Perhaps the member should treat the issue as

seriously as it should be treated. The issue is serious and can cause people concern, so it deserves a serious discussion rather the political rhetoric that we have just had from Mr Findlay once again.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** What lessons have already been learned? Will the cabinet secretary reiterate the details of the next steps that the Scottish Government is taking to resolve the issue?

**Keith Brown:** Throughout this situation, we have sought to take a precautionary approach, to ensure that all potentially affected cases are reviewed and to revert temporarily to the LS/CMI paper-based system while we assess the impact of making the required changes to the IT function. The member will have picked up that we want to do that with the open cases first and then move on to previously closed cases.

I have mentioned that we are also asking the risk management authority to urgently convene the review group, which would draw in other justice partners as needed. The work of constituting that group began today. Once the immediate and on-going review of live cases is concluded, the review group will examine the overall impact of the two errors in the IT system and I will report back to Parliament at that stage—Parliament permitting, of course.

**Katy Clark (West Scotland) (Lab):** Has the cabinet secretary been provided with a breakdown of the kind of offences that those who are involved have been convicted of? For example, does he know how many sexual offenders are involved in the cases, and has he been advised of the potential implications of the errors in those cases?

It sounds as though the work will be resource intensive at a time when the legal system is already under massive pressure. What information has the cabinet secretary been provided with by the various agencies about the work that will likely be involved?

**Keith Brown:** On the first point, as far as I am aware, it would not be possible to give a breakdown of the offences, because, as I mentioned, many different tools are used in relation to different offences, often in conjunction with other tools, and all those tools are used in conjunction with professional judgment. However, I will look into the matter and see whether I can provide more information to the member.

The second question was about the resources that are required to carry out the work. It is the nature of the job that they will have to do it—it is very important, so the work will begin right away. As the member knows very well, it is in the nature of the work that is done by criminal justice social workers and staff in the Prison Service. Justice

professionals will be familiar with the paper-based system that will be used while the review is undertaken, not least because some of the other systems that they currently use are still paper based and because some staff will have used the LS/CMI paper-based system prior to the IT system being adopted. It will not be new to those members of staff, but I recognise that the review will take time. Given the on-going, resource-intensive nature of the work, I am happy to report back to the committee and the Parliament on it.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** I refer members to my entry in the register of members' interests.

I was working in the sector when the LS/CMI was introduced, and I recall the fairly robust training programme that we had to undertake. Although the override option, as it was called, involved robust protocols, including several levels of management approval—I hope that that is reassuring for my Conservative colleagues—it was nonetheless always by far the most contentious part of the LS/CMI. It is therefore perhaps not surprising that that aspect is receiving more Government scrutiny. That is surely a good thing, because it should help us to make the system more effective and consistent.

On behalf of my former colleagues and other criminal justice social workers working across Scotland, will the cabinet secretary provide more detail about the support that is being provided to them as they move, with immediate effect, to using a totally paper-based system?

**Keith Brown:** They will be helped by the review process itself. In any event, it is a good idea to have the review, and it was good that what was picked up, in the first instance, by somebody in the Prison Service was not accepted as a glitch. It could have been perceived as such, but it was not written off in that way. There were thorough checks to see whether there was a wider issue, which there was, and that led to further checks and a second issue in the system being found.

The system was introduced in 2006, I think, but it moved to being IT based in 2012 and has now been centralised. To go back to the very first point that Jamie Greene made, I am not aware that there was anything in the centralising process that caused the issues; we know that that is not the case in relation to the two technical problems that have emerged. Indeed, it might be that centralisation, which is supported by all the different justice agencies, is the means by which the problems have been found.

As Fulton MacGregor asks, we will continue to provide support to all the professionals who are involved. I recognise the points that were made by him and Katy Clark that the matter is providing

additional work in a pressurised area. We will make resources available to ensure that the professionals can get through this without it affecting their other work.

**Liam McArthur (Orkney Islands) (LD):** I thank the cabinet secretary for early sight of his statement, but I echo Pauline McNeill's concerns about some of the technical language that was used.

It is clear that a key component for assessing the risk of convicted people—a component that feeds into how the justice system deals with them—has been displaying information wrongly. That has potentially been happening for years, and it has potentially impacted decisions on release, sentencing and who should be subject to MAPPA monitoring in relation to sexual offenders. Will the cabinet secretary confirm whether the IT system has been overstating or understating the risk not just in alcohol and drugs cases but in general? When does he expect the urgent review of the remaining cases that is now under way to be completed?

**Keith Brown:** On Liam McArthur's first point, I cannot provide confirmation. We have received information on 150 cases—the number was 150 first thing this morning, but it will be higher now; that is the pace at which the situation is being worked through—and those cases have not yet thrown up any public protection issues, which, in relation to the idea of overstating or wrongly stating, does not yet concern the professionals who are involved. I might be able to say more about that as more information comes back to us and as we go through the rest of the functions.

I apologise, but I have forgotten the second part of Liam McArthur's question.

I have mentioned the means by which we are trying to push through the review. We will have significantly more information in the next fortnight, but I do not want to commit to when the review will be finished, because we must be sure that we have had a complete check. As well as finding out about the issues and concerns, we want to ensure that the entire system is working.

I cannot give Liam McArthur the assurance that he asked for just now, but we should have much more clarity on the major issues, many of which have been raised by members today, within a fortnight.

**The Deputy Presiding Officer (Annabelle Ewing):** Three more members are seeking to ask questions, so I ask for succinct questions and answers.

**Collette Stevenson (East Kilbride) (SNP):** Will the cabinet secretary provide a commitment that the Scottish Government will continue to keep

Parliament and the Criminal Justice Committee updated as the situation develops? Will he outline how he will do so?

**Keith Brown:** Yes. As I have said, I am happy to do that. I think that I am due to appear before the committee for about two and a half hours, on different issues, next week. It will be up to the committee—[*Interruption.*]. I apologise—I did not hear that. I will be happy to answer any questions that are asked. If the committee wants to change the nature of its questions as a result of today's statement, the Government will be responsive to that.

I have already committed to come back to Parliament on the issue. There is a judgment to be made about when it would be appropriate for me to do that. It is a judgment on which we cannot win. I want to make sure that Parliament is informed as soon as possible. That has been the injunction from the Presiding Officer. I have sought to inform Parliament as soon as possible. It is six days since we were made aware of the issue. Much work has been done to make sure that we can get as much information as possible to members. As and when we have more information to provide to members, I will, of course, come back to the committee and the Parliament. In the meantime, I will also be happy—this relates to Pauline McNeill's questions—to correspond with individual members.

**Maggie Chapman (North East Scotland) (Green):** I thank the cabinet secretary for providing early sight of his statement and for his stated intention to keep Parliament informed and to be as transparent as possible, which I take in good faith.

Although there is clearly a place for risk assessment systems such as the LS/CMI, does the issue that we are discussing underline the case that victims, survivors and people who are convicted of crime are, first and foremost, people with individual needs and, therefore, highlight the importance of having sufficient capacity and resources to treat individuals with respect and care? Will the cabinet secretary outline what additional support he is providing to ensure that that is the case?

**Keith Brown:** In relation to the specific issues that we face, I have mentioned the additional resources for the review group and the Government's willingness to provide additional resources to help the professionals who are involved in that exercise.

However, I think that Maggie Chapman's question is a wider one about resources more generally. Our recently produced vision for justice will give her a clue as to how we intend to best use the resources that we have. She mentioned

victims. As I mentioned in my statement, we will contact victims organisations—I think that they will have been contacted by now—and will involve them in the process through membership of the risk review group, should they wish to take that up. We will work with victims organisations rather than directly with victims, for reasons of which Maggie Chapman is, I am sure, well aware.

**Stephen Kerr (Central Scotland) (Con):** I was a little surprised by the response that the cabinet secretary gave to my colleague Russell Findlay. As a very experienced minister, the cabinet secretary knows that, when he comes to this place, he will be scrutinised by members on all sides.

I have a specific question about this catastrophic failure. As of the moment the cabinet secretary entered the chamber, how many offenders have been released, possibly wrongly, and are still out on the streets, as it were, unchecked? He said that the problem was first identified by a user in January, but it took until last week for the Government to realise that it affected hundreds of cases. When was he first made aware of the scale of the problem? Why did it take him from some time last week until today to come to Parliament? I welcome his coming to Parliament—it makes a change. *[Interruption.]*

**The Deputy Presiding Officer:** Mr Kerr, could you please finish the question, because we are running out of time, as I have already indicated? You have had quite a long run-in. Could you please conclude your question?

**Stephen Kerr:** I am trying to finish my question, but it does not help when the Deputy First Minister shouts abuse.

**The Deputy Presiding Officer:** Please just conclude your question.

**Stephen Kerr:** Well, I have asked my questions. When was he first made aware of the situation? Why did it take him from last week until today to come to Parliament?

**Keith Brown:** Mr Kerr makes a fair point about my response to Mr Findlay. However, if a question comes with all sorts of political rhetoric added to it, I will respond to that. I am happy to respond to factual questions, as it is a serious issue, and that is what I have tried to do.

I will respond directly to Mr Kerr's question. On 24 January, a member of the Scottish Prison Service who was using the system found an issue with it. They contacted the help desk that is provided by those who are there to support the system. They had to be certain that it was not an individual user issue, and it took time to do that. They ran tests in parallel with the system. That

took until 23 February. *[Keith Brown has corrected this contribution. See end of report.]*

The Government was advised that there was a wider issue with the system on Friday afternoon last week. That is when we were told. Over the weekend and since then, work has been going on non stop in an effort to get a resolution for the system and the workaround of a paper-based system, and to gather more information so that I could make as full a statement to Parliament as possible. I think that we have acted pretty quickly. Of course, we are open to criticism, but I think that that was the right way to do it.

I have tried to answer the question of how many people have been released who should not have been released by saying that, of the 265 open cases that have to be looked at, more than 150 have come back with no public protection issues whatsoever. That number was from this morning, so it might be higher now. Of course, if there is any change to it, I will update members through the processes that I have already mentioned.

**The Deputy Presiding Officer:** That concludes the ministerial statement.

Before we move to the next item of business, I remind members of the Covid-related measures that are in place, and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

## Public Service Broadcasting

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a debate on motion S6M-03420, in the name of Angus Robertson, on the value to Scotland of public service broadcasting. I invite all members who wish to speak in the debate to press their request-to-speak button now, or to enter R in the chat function.

15:55

**The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson):** I am delighted to lead the debate on the value of public service broadcasting and its pivotal role in Scotland's past, present and future.

It is no secret that public service broadcasting is close to my heart. I worked as a correspondent for the BBC World Service before I entered elected politics, so I know how valuable such services are in informing people throughout Scotland and across the world.

For me in particular, as the son of a world war two refugee, the devastating events of last week in Ukraine have underlined in a horrifying way the real-life importance of public service broadcasting. On Tuesday night, a Russian missile hit Kyiv's television tower, which knocked out transmission for a short period. We need look no further than the image of that TV tower, bombed out by an illegal invading force, for a reminder of why public service broadcasting and freedom of speech are at the heart of democracy.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** Will the cabinet secretary join me in congratulating the BBC on broadcasting transmissions on short-wave radio frequencies so that anyone in Ukraine who has a transistor can hear the truth about what is going on in the conflict?

**Angus Robertson:** I completely agree with Alex Cole-Hamilton's congratulations. Should anybody who is following our proceedings not be aware of the strength of the short-wave signal across Russia, Belarus and Ukraine, I encourage anybody and everybody to listen to the authoritative and accurate reporting by the BBC of the conflict in Ukraine.

The principles behind our public service broadcasting systems matter more than ever, for reasons that we have just discussed, so this is exactly the right time to talk about why we need to come together to protect them. Although the BBC and other broadcasters are far from perfect, they offer value not just to our democracy but to our creative life and its economy. As cornerstones of

our screen sector, broadcasters have been the training ground for our finest creative talent and will continue to support our creative economy and how we present ourselves to the world.

Although public service broadcasting is important for our international image, it is also crucial for local and minority communities. MG Alba, in partnership with BBC Alba, helps to sustain our Gaelic-speaking communities, while contributing to economic growth in the Highlands and Islands and to creative innovation, with new and original content that resonates with audiences.

I will take a moment to celebrate how far we have come as a film and television producing nation. If we look back even just 10 years, it is fair to say that our screen sector was underperforming. We have always had incredible talent, captivating stories and some of the world's most beautiful locations, but we were far short of achieving critical mass. Beyond the BBC, we had no significant studios. We missed out on productions, and crew had to go elsewhere to work.

Today, our public service broadcasters have made new commitments to the United Kingdom nations and have stepped up production and commissioning in Scotland—as well they should, given the historical underinvestment in Scotland by the BBC and Channel 4.

In the past five years, Channel 4's creative hub has opened in Glasgow, and the BBC launched a dedicated Scottish channel to be a platform into the industry. It has produced new and original content, including the acclaimed series "Guilt". Drama series such as "Screw" are produced by STV Studios for Channel 4, and are filmed entirely on a set in Glasgow's Kelvin hall. Our excellent factual TV sector has gone from strength to strength, with Scottish companies building a much wider range of content alongside the lasting success of series such as "Location, Location, Location".

We need to recognise Channel 4's role here. It has spent more than £200 million on Scottish productions since 2007, and its targeted equity investment and unique publisher-broadcaster model allows independent production companies to grow sustainably.

Recently, I have seen the changes for myself when visiting several of our studios. At the Kelvin hall, a state-of-the-art multicamera studio is being built. The studios at the Pyramids Business Park in Bathgate are now hosting "Good Omens 2". FirstStage Studios in Leith has hosted Amazon's "The Rig" and is now hosting "Anansi Boys". There being productions of such calibre and scale is becoming habitual in Scotland. People in Glasgow

can see “Batgirl” being filmed on its streets. At Wardpark Film and Television Studios in Cumbernauld, the successful “Outlander” series has been being filmed for nine years, with successive training schemes that have been backed by Screen Scotland producing dozens of excellent new crew.

The change is nothing short of transformational. Of course, the step change has not come without investment. I am proud that, five years ago, the Scottish Government took the bold step to significantly increase investment in screen, thereby enabling more support and, which is important, widening investment to television.

Already we can see the benefits. For instance, Screen Scotland estimates that the production growth fund, which has awarded just under £10 million since 2015, has generated direct economic spend in Scotland of more than £140 million over the period. Because the issue is not just about funding but about expertise, in 2018 we created Screen Scotland, which is our specialist creative partnership within Creative Scotland. Its creative passion and industry knowledge have been invaluable in growing the sector.

Unfortunately, I do not have time to list all of our recent achievements, nor can I set out all that we still want to do. It is a long list, and I know that this is only the start. We know that we need to increase skills training, and we have already started the long but essential job of nurturing the influential writers and showrunners of tomorrow. We are determined to keep creating the conditions that allow us to develop more creative projects and talent, so that even more production will take place in Scotland.

Although the rise of global demand for content and streaming companies is an important factor in our progress, future growth should continue to have our public service broadcasters at its heart. Initiatives such as the Screen Scotland partnership with the BBC will be crucial. We also expect the BBC’s contribution to our creative economy to be strengthened by a greater share of investment here in Scotland.

Broadcasting policy should be devolved so that budgets can be allocated and commissioning decisions can be taken here in Scotland. Short of that devolution, I will continue to press the BBC to spend in Scotland a proportion of the licence fee that is equitable with what is raised here, in order to put us on a par with the other nations.

I would like to return to how recent events have again shone a spotlight on the value of public service broadcasting. Given that value, it is astonishing that one of the biggest threats to our broadcasting system comes not from outside but from the United Kingdom Government itself. The

UK Government has hobbled the BBC by freezing licence fees for two years and refusing to commit to stable funding in the future. The UK Government is refusing to back down on plans to privatise Channel 4 when there is no reason to put that unique public asset into private shareholder hands. We in Scotland have no such doubts about the value of public service broadcasting and its principles, so we are determined to protect them unequivocally.

I trust that members will agree with me and support the motion. I look forward to working with all members to ensure that Scotland’s views and needs are recognised, reflected and supported, and, more widely, to ensure that the essential principles behind public service broadcasting are upheld.

I move,

That the Parliament believes that public service broadcasting has a valuable role in society and provides vital platforms for the creative economy and cultural richness of the nation; recognises that substantial progress has been made in the last decade in increasing the volume of screen production made in Scotland, and welcomes Screen Scotland’s actions to continue to attract productions; notes that broadcasters and producers like the BBC and STV have a vital role in the Scottish screen sector to help develop talent both on and off screen; condemns any efforts to undermine the BBC and Channel 4’s operational independence by the UK Government; calls for BBC Scotland to receive a far fairer share of licence fee revenues raised in Scotland, and further calls for the Scottish Parliament’s role in BBC Charter Renewal to be respected.

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

16:03

**Donald Cameron (Highlands and Islands) (Con):** I welcome the opportunity to have a sensible and level-headed debate on this important issue. I associate myself with the cabinet secretary’s remarks on Ukraine and the importance of freedom of speech. Interestingly, the BBC Russian language news site’s audience has increased from 3.1 million to 10.7 million in a week—an extraordinary statistic.

As I said in my remarks in Alex Cole-Hamilton’s members’ business debate a few weeks ago, it is vital that we have a discussion to determine how best we can continue to support high-quality public service output, while ensuring that the way in which we pay for it is fair and sustainable. I reiterate the support of members on these benches for the BBC as a national institution, alongside other public service broadcasters.

I am a little disappointed in the motion. There has, at least in part of the debate, been an attempt

to pursue the issue as a dispute between Scotland's two Governments: the Scottish Government and the UK Government. That is a shame, because there is a lot in what the cabinet secretary has just said, and indeed in the motion, that I whole-heartedly agree with. Like the cabinet secretary, I welcome the increase in screen production in Scotland. I acknowledge the role that his Government has played in boosting the sector, whether that is the announcement that Screen Scotland and the BBC are investing £3 million in the sector, or the recent report from the British Film Institute, which revealed

"the highest ever return on investment to the UK economy of £13.48 billion ... from the UK government's screen tax reliefs from 2017-2019."

We acknowledge the role that many broadcasters—the BBC, STV and Channel 4—play in supporting our screen sector, including the many freelancers who operate in that sector. The cabinet secretary mentioned MG Alba. When I visited its studio in Stornoway in 2018, I heard about its important relationship with screen sector freelancers across the Highlands and Islands and further afield, and the need to maintain that cohort of freelancers. Undoubtedly the pandemic has significantly harmed the sector, and we must continue to support its revitalisation and growth.

On the issue of BBC charter renewal, the Scottish Conservatives will always defend the role of this Parliament in carrying out its duties. That is why we agree with the motion where it says that the Parliament's role in BBC charter renewal should be respected. Where we depart from the Scottish Government is the implication—which we contest—that the UK Government seeks to disrespect that role.

The motion states that UK Government seeks

"to undermine the BBC and Channel 4's operational independence".

We do not accept that charge for one moment. We do not accept the charge that the UK Government is interfering with the independence of the BBC, or Channel 4 for that matter. On these benches, we completely respect and will always respect the ability of public service broadcasters such as the BBC to make operational decisions internally. However, it is widely recognised that all of those organisations need to evolve with time. No institution, especially one that is publicly funded, can be set in stone; nor should it be seen as immune from scrutiny. We can do that scrutiny while, at the same time, acknowledging the need for operational independence.

The need for change has been recognised by Tim Davie, the director general of the BBC, who, in his first speech, said:

"We must make changes because it will harm the BBC if we don't."

He went on to say that the BBC

"needs to evolve now—and fast."

I am quite encouraged by Mr Davie's broad vision for a modern BBC.

Similarly, I note the comments of the current chief executive of Channel 4, who said:

"the Government is right to periodically review our ownership and business model."

It was a Conservative Government that established Channel 4 back in the 1980s. As a party, we have a proud history of investing in new and innovative broadcasting, including—a subject dear to my heart—the establishment of the Gaelic Media Service, which was the precursor to BBC Alba.

It is right that we have a debate on how we fund the BBC. I note the comments that have been made about the UK Government and the licence, but the question that I wanted to ask the cabinet secretary—perhaps Mr Gray can return to it in closing—is this: what exactly is the SNP's position on the freeze? Does it support the freeze, or would it prefer the licence fee to rise? I hope to get an answer to that.

**Angus Robertson:** Can I clarify that we are not in favour of the freeze on the licence fee—that is pretty simple.

I have a question for the member, if I may. On Channel 4 privatisation, what is the position of the Scottish Conservative Party on the lack of guarantees being sought for the retention of commissioning across the nations and regions? Does the Scottish Conservative Party believe that conditions should be set to protect those, or not?

**Donald Cameron:** It is rather like the BBC. We believe in a review. We believe that all of those things should at least be on the table to ensure that we have a sensible discussion about how we fund and arrange the model.

Returning to the BBC, I note that the existing licence fee model was devised in 1922, when the BBC was founded. It was the only radio station that existed at the time. The cabinet secretary made the point that the media landscape has altered radically. In 2022, we have streaming on demand and all sorts of things, as well as growing divides between age groups in how they consume media.

I see that my time is almost up. We recognise the critical importance of public service broadcasting in Scotland. We support the initiatives that invest in the array of talent in the sector. It cannot remain static but must evolve. We

need an open, honest and candid debate about how to support public service broadcasting.

I move amendment S6M-03420.2, to leave out from “condemns any efforts” to “raised in Scotland” and insert:

“understands the need to review how public service broadcasting is funded so that it is able to continue delivering world-class content in a fair and sustainable way, and believes that all possible funding options should be considered as part of that review”.

16:10

**Sarah Boyack (Lothian) (Lab):** As has been said, earlier this month we debated the importance of public broadcasting—music, sport and drama, the BBC World Service—as well as the importance of campaigning to stop the privatisation of Channel 4, which would massively disrupt a hugely successful model of commissioning that delivers high-quality and diverse programmes. Scottish Labour will not support the Tory amendment as it calls for us to support “all possible funding options”.

We are keen to look at options to increase the accountability of the BBC and are interested in the Co-operative Party’s call for mutualisation of the BBC to increase the influence of viewers, but we are resolutely opposed to the privatisation of the BBC. The important principles that underline the accountable and impartial programmes that we can watch could not be more relevant today and we should be proud of them.

I echo the comments made by the cabinet secretary and Donald Cameron: news programmes covering events in Ukraine and Russia this week have brought home why we must defend our public broadcasting and the importance of accessing news online. That is demonstrated by the BBC News statistics that show that in the past week, viewing figures have increased by more than 250 per cent in Russia and by 154 per cent in Ukraine.

It has been inspiring but also moving to watch our journalists across Ukraine reporting on live events from bunkers or streets where there are weapons being fired, and then seeing our journalists in Russia asking tough questions of the regime—just as we would expect them to do of our Governments in the UK.

Our amendment calls on the UK Government to ensure that there is no support for broadcasting services that spread propaganda and disinformation—they are unacceptable both in Scotland and across the UK. Public broadcasting is also key to our culture and economy, but our amendment highlights that more needs to be done on that. Last year, we were made aware of the concerns about the proposals to privatise BBC

Scotland’s studios. Points were made then about the importance of programmes being made in Scotland to provide decent jobs and create more programme-making capabilities in Scotland.

Covid has reinforced the need for jobs across the culture sector that are not short-term precarious contracts and has also exposed the vulnerability of freelancers. We also need to see fair rates for those jobs and workable hours, whether someone works in make-up or on camera teams. For example, someone could be on a 10-hour contract and have to travel a couple of hours just to get to and from work.

The Broadcasting, Entertainment, Cinematograph and Theatre Union is clear that commissioning needs to be properly funded to deliver jobs in Scotland going forward. We need that investment in studios and staff across Scotland so that our news output and programme making is an attractive opportunity for all our TV broadcasting companies.

Our amendment also references the importance of parity of esteem for Gaelic broadcasting compared with Welsh language broadcasting. Last week saw the announcement of the winners of this year’s prestigious Gaelic short film competition, FilmG 2022, in a special awards ceremony on BBC Alba. We need to celebrate the quality of programming in Scotland and ensure that it gets the funding needed.

However, I question the line in the Scottish Government motion that says that we need a “far fairer share” of the licence fee paid in Scotland. We need investment and pipelines for new programming to be generated in Scotland, but we are also part of a wider network of productions. For example, the BBC World Service is something to be proud of, as is the sports coverage of international events, and the music, drama, comedy and documentary programmes that we are able to share not just within the UK but across the world. We also have new TV channels, such as BBC Three, which serves viewers across the UK—critically, those are new viewers who are young people who are increasingly watching on phones or laptops, rather than on TVs. Podcasts and apps are transforming how we consume radio and television programming and enabling people to get involved.

I agree that the Scottish Parliament’s role in the BBC charter needs to be respected. The voice of parliamentarians in holding Governments to account and representing our constituents is vital. The text of the charter says that the review

“will not look at the BBC’s mission, purpose or the method by which it is funded”.

However, we know that the Tory Government has already frozen BBC funding for the next two years

and that will put massive pressure on programme budgets. There are other ways to enable everyone to afford to watch the BBC—we know that with over-75 passes.

Scottish Labour is not against change, but public broadcasting must be properly funded, accessible to every citizen, and not privatised. For 44p a day, it is a service that we should be protecting and enhancing. We should not destroy something that is part of who we are as a democracy and a society.

I move amendment S6M-03420.3, to leave out from “calls for BBC Scotland” to end and insert:

“further condemns those who seek to undermine trust in the impartiality of British public service broadcasting; supports parity of esteem for Gaelic broadcasting compared with Welsh language broadcasting; calls for funding allocations to prioritise fair funding for fair work, in terms of hours worked and salaries, to ensure that talent is supported in Scotland; encourages the Scottish Government to provide more comprehensive support for freelancers, who make up a significant part of the industry; calls on the UK Government to ensure that broadcasting services that spread propaganda and misinformation, against the principles of public service broadcasting that this nation should defend, are unwelcome in Scotland and the UK, and further calls for the Scottish Parliament’s role in BBC Charter Renewal to be respected.”

16:15

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I am pleased to speak for my party on a topic that is, as members will know, close to my heart. I thank Angus Robertson for making time for the debate this afternoon.

Our public sector broadcasters are vital to the health of our democracy. For the past two years, they have kept us informed and have even managed to create and foster a vital sense of togetherness in our darkest times in the pandemic, amid the isolation of Covid-19. Now, in the middle of one of the worst geopolitics crises that we have seen in our history, while the knot of war tightens around our world, our public broadcasters are on the front line in Ukraine, putting themselves in harm’s way and keeping us up to date with events as they unfold.

It is extraordinary to think that many journalists and camera crews have left the safety of these shores so that each of us can be kept updated in the comfort of our own homes. Their bravery is an example of public sector broadcasting at its finest. We owe them a debt of sincere gratitude for the work that they are doing—I have no doubt that we can all agree on that.

During the past week, we have also witnessed how the Russian state has weaponised disinformation. Make no mistake: that is a weapon that is deliberately used to influence any opposition to Russia’s activities. The kleptocrat

tsar who occupies the Kremlin and his gangsters have used their own state-owned media to justify their unjustifiable actions and to spread lies about the Ukrainian leadership and, of course, the Ukrainian people. As the Harvard professor Jane Lytvynenko has said, Russia is preying on the “gaps in knowledge” of western audiences in the hope that a demotivated west will be much less likely to offer help to Ukraine.

Our public sector broadcasters have always played a vital role in holding the line in that battle for truth itself. In doing so, they have awakened us to the plight of the Ukrainian people and galvanised us to protest, donate and volunteer. That demonstrates once again their immeasurable value. Indeed, as I mentioned in my intervention on the cabinet secretary, the BBC took the decision just this week to transmit radio broadcasts on short-wave frequencies to keep everyone with a transistor in Ukraine informed, even as their TV towers are being bombed and internet services are being brought down. We do not get that level of service with a Netflix subscription.

It is simply not possible to achieve the calibre of journalism to which we in Scotland have become accustomed without public funding. Public funding shields our broadcasters from the influence of shareholders and other corporate interference. We must always legislate to protect that. That goes for the BBC and, of course, Channel 4 as well.

Over three weeks ago, I lodged a motion for a members’ business debate on the future of the BBC—that has already been mentioned in this debate. I was grateful that members from all parties came to speak in favour of what was widely acknowledged to be a crucial public service. That mirrored the reaction of many people across Scotland and the UK when they saw a much-treasured public institution come under threat from Nadine Dorries and the Conservative Party. Many people, regardless of their political stripes, spoke up in the BBC’s defence, including, I dare say, some Conservatives.

It is to our great shame that some of our journalists and broadcasters have not always been treated with the respect that they deserve. Two weeks ago, we learned of the abuse that was suffered by the former BBC Scotland editor Sarah Smith simply for doing her job and by virtue of who her father was. She was relentlessly harassed online and in person. She faced attacks that were often tainted with misogynistic bile, all of which culminated in an environment that was, as she said, so toxic that she made the decision to leave Scotland altogether. That is shameful.

Sadly, Sarah Smith is not alone. I could name a number of journalists at the BBC, Channel 4 and STV who have been subject to online abuse just

for doing their job. Although we may not always enjoy being at the end of a line of questioning from a journalist, that does not mean that we should allow for them to be on the receiving end of a barrage of abuse from those who support us. We must publicly oppose that type of behaviour, regardless of from where it comes. I call on all parties to reflect on that.

All of us in the chamber recognise—

**The Deputy Presiding Officer:** Mr Cole-Hamilton, could you please conclude your remarks?

**Alex Cole-Hamilton:** I conclude by saying that only when we protect our public service broadcasting do we protect our politics, our culture and our free democracy.

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

16:20

**Fiona Hyslop (Linlithgow) (SNP):** I wish to repeat the recognition of, respect for and thanks to the broadcasters, in front and behind camera, reporting from the war in Ukraine for their courage in pursuit of the truth to tell the world. Truth in war and the need for religious and education programmes in a pandemic should not have to remind us of the importance of public service broadcasting, but they have provided a stark and salutary reminder.

Following many meetings with the then director general, as well as representations to the UK Government, I helped to secure a role for this Parliament in a previous BBC charter renewal, and MSPs must scrutinise the BBC on its contribution to Scotland's culture and economy. However, if MSPs do not recognise the potential for an existential threat to public service broadcasting from some UK politicians, they are being naive.

Scotland watches more news than any other part of the UK. For three years in a row, STV News has outperformed the BBC, securing 54 per cent of audiences for "STV News at Six". The success that is MG Alba is an exemplar as to how PSBs are uniquely placed to help stimulate economic growth and promote cultural representation.

On the latest threat of the privatisation of Channel 4, the advertising market is not strong enough for other actors. Channel 4 sustains many domestic independent producers. Indeed, it is projected that 50 to 60 independent producers could be put at risk if Channel 4 is privatised. What would happen to the commitment to increase from 35 per cent to 50 per cent output from outside London in its "4 All the UK" strategy, which is worth up to £250 million more in total?

Privatisation would drive a coach and horses through any concept of the UK Government's levelling up agenda. It could see Leeds, Bristol, Manchester and the creative hub in Glasgow all suffer economically and culturally.

In an era when PSB content is delivered via an array of platforms, the term should be replaced by "public service media". I agree with Ofcom's call for a

"stronger system of public service media fit for the digital age",

with a

"radical overhaul of laws"

to allow broadcasters to compete with largely unregulated global streaming services, and with a new objective to support the creative economy in individual nations.

Availability and prominence rules need to be updated to include digital platforms. STV must have digital prominence for audiences so that local news is not buried by global platforms. It is essential to have long-term licence renewal for channel 3 licence holders. STV is making a modern success in public service media, with its children's appeal, by driving diversity through its expert voices workshops, and through its STV growth fund for small business advertising.

We need more returning drama for jobs and the economy. I am proud to have established Screen Scotland, to have helped finally secure the permanent film studio, First Stage Studios in Leith, and to have added to Cumbernauld's Wardpark and the Pyramids in Bathgate in my constituency, where "T2 Trainspotting", "Shetland" and Neil Gaiman's "Good Omens" have been filmed. I previously committed Government funding for the Kelvin Hall film studio.

The creative economy is all linked, including skills, crew and talent off screen and on screen. Public service media has a huge role to play, and we need it. We must stand up for the principle, the practice, the value, the benefits and the future of public service media, and we must champion public service journalism in an age when the dark shadow of disinformation still looms large.

This is not about preserving the past of public service broadcasting in a nostalgic way; it could and should be about the future of the new public service media for the streaming, online, digital new age. I support the Government's motion.

16:24

**Stephen Kerr (Central Scotland) (Con):** It is a pleasure to follow Fiona Hyslop, who gave an excellent speech; I thank her for it. I hope that the whole chamber will join me in congratulating

Kathryn Samson on her recent Royal Television Society award, along with the team at STV news.

We have a great deal to be proud of in this country in the creative industries and in public service broadcasting. I used the occasion of Alex Cole-Hamilton's debate a few weeks ago to stress my personal belief that the BBC is one of Britain's greatest institutions and one of the United Kingdom's great forms of soft power, as has been illustrated by, and discussed in relation to, the events of the past week. Who will be able to forget the faces of the BBC correspondents and other journalists speaking to camera from Kyiv during this very difficult time for the whole of Europe? In particular, I think of the face of Clive Myrie. My wife has commented on the expressiveness of his face and eyes as he has been speaking live to camera on BBC News and standing up for truth, which at the end of the day is the hallmark of true journalistic reporting.

That is the BBC at its best. Nonetheless, we should occasionally take the opportunity—as my colleague Donald Cameron said—in particular in the 100th anniversary year of the BBC's establishment, to examine and review the BBC and its business model, and to support the values that I think we are all united in wanting to support and protect.

In the time that I have, I will quickly mention one or two things. I am not being overtly critical of the BBC, but there is something to be said about the BBC in Scotland and how it covers the proceedings of this Parliament. It is 20 years since the devolution settlement, and I honestly believe that the BBC has not quite caught up with that in its coverage of the Scottish Parliament.

One example is the BBC's coverage of Prime Minister's questions in comparison with its coverage of First Minister's questions. Prime Minister's questions is live and is shown on BBC News, and it is also shown live on the home page of the BBC website. First Minister's questions is live, but it is rarely shown on BBC News or on the BBC home page.

In my opinion, that is not right. I will expand on that. Some constituents tell me that the BBC's radio coverage—that is, BBC Radio Scotland's coverage—of First Minister's questions sometimes includes only the questions from Douglas Ross and Anas Sarwar. If the BBC's radio coverage of Prime Minister's questions did not include the questions from back benchers, there would be outrage. Why is there no similar outrage in Scotland?

**Members:** There is!

**Stephen Kerr:** BBC Radio Scotland should be covering the proceedings of this Parliament. The BBC Scotland channel receives—*[Interruption.]*

I do not know what members are all shouting at.

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** Will the member take an intervention?

**Stephen Kerr:** An intervention? Yes—I beg your pardon.

**Christine Grahame:** In the early days of this Parliament, there was also live coverage of general questions, leading into First Minister's questions, and that was ditched.

**Stephen Kerr:** I am sympathetic to what Christine Grahame says. There is no live stream on BBC Scotland of the proceedings of this chamber, and yet there are no programmes on BBC Scotland during the day. Why does the channel not show the live stream from this chamber?

I am not advocating that the whole of Scotland should be mesmerised by the rhetoric and speeches of members in this Parliament—

**Angus Robertson:** What about you?

**Stephen Kerr:** It is very generous of the cabinet secretary to suggest that people would tune in just to listen to some of us and not to others. However, it is not right that the proceedings are not shown. It is so hard to find the live stream of this Parliament, and we ought to be concerned about that. The people of Scotland should be able to view the proceedings of this Parliament on the same basis that we can view the proceedings of Scotland's other Parliament—the United Kingdom Parliament—on the BBC Parliament channel.

There is no "Today" or "Yesterday in Parliament" programme on BBC Radio Scotland. There is not even a podcast produced by the BBC to highlight the proceedings of this Parliament. It is not as if the BBC could not produce that coverage in Scotland—it could split its frequency, as it does for football all the time. Why can it not provide coverage of this Parliament on the same basis as the UK Parliament?

That is my feedback for BBC Scotland. Coverage and analysis of the debates that happen here are very important—

**The Deputy Presiding Officer:** Mr Kerr, I have been generous and given you latitude because you took an intervention, but you now need to conclude your remarks.

**Stephen Kerr:** You have been generous, Presiding Officer. I will conclude.

The Scottish Parliament deserves greater exposure through the platforms of our public service broadcaster. The Scottish Parliament is not the Nicola Sturgeon show or even the Douglas

Ross show; there are 129 members—  
[*Interruption.*]

I thank Christine Grahame very much for her comments. The BBC must get on top of the remit that it has to provide coverage of the proceedings of this Parliament.

16:30

**Jenni Minto (Argyll and Bute) (SNP):** Public service broadcasting, as the motion states, has a “valuable role in society” especially, as many members have said, given the horrific events in Ukraine and the robust but compassionate journalism from Channel 4 News and the BBC. The Scottish Parliament’s role in BBC charter renewal must be respected.

I spent 18 years working at BBC Scotland, supporting talented and creative programme makers in radio and television to produce programming that reflected public service broadcasting purposes across Radio Scotland, Radio nan Gàidheal, Gaelic television, education and the BBC Scottish symphony orchestra. Those were all departments of BBC Scotland whose clear remit was to inform, educate and entertain and to reflect Scotland’s cultural identity.

I thank Ealasaid MacDonald and Jeff Zycinski for sharing some of their thoughts on the importance of public sector broadcasting with me as I prepared for this debate.

One of my proudest moments at BBC Scotland was something that has been mentioned by others: the launch of BBC Alba. It was the accomplishment of many years of hard work and one that fulfilled the obligation to Gaelic television under the European Charter for Regional or Minority Languages. Gaelic broadcasting through BBC Alba and Radio nan Gàidheal is a public service broadcasting triumph. As Sarah Boyack said, it deserves the parity that is given to S4C.

The partnership between MG Alba and the BBC gives BBC Alba a prominence in access and status, which are powerful tools in revitalising the Gaelic language. It makes programmes such as “Dè a-nis?”, “Bannan”, “An Là” and “Eòrpa”. It is an important part of the Scottish broadcast ecology and commissions a large proportion of its output from independent production companies across Scotland.

My constituency of Argyll and Bute has provided the inspiration for many programmes. The wee picture house in Campbeltown played a starring role in “Cinema Gadelica”, which showcased films shot in iconic Scottish locations. That applies not only to the Gaelic language. Inveraray played a starring role in the BBC’s “A Very British Scandal” and, almost 60 years ago, was the location for

Walt Disney’s film “The Three Lives of Thomasina”.

Gaelic language television output is complemented and enhanced by Radio nan Gàidheal, which provides a comprehensive news, speech and music service and is a voice to and for communities across the Gàidhealtachd.

Radio should not be viewed as a Cinderella service. The merger of commercial radio stations has arguably reduced the localness of the service that they provide. With those stations’ focus on music and news bulletins, there are gaps in comedy, drama, documentaries, sport and the arts and culture that public service radio can fill.

Radio Scotland has the brilliant “Off the Ball”, which bookends “Sportsound” and became a key message point during the Covid pandemic. I challenge what Mr Kerr said about Radio Scotland’s output regarding this Parliament. There is a podcast called “Podlitical” that covers output from this Parliament. “The Afternoon Show” covers all things arts in Scotland and the “Young Traditional Musician of the Year” promotes the wealth of talent in our traditional music scene.

Radio can be many things: a nursery for developing formats, writers and performers; a service that keeps us company on long journeys; a less intrusive way of getting personal stories told. Community radio stations also play a role here. Perhaps building in a defined public service remit with funding would help them to flourish. We must remember the important resource that they provided during the pandemic.

Within its charter, the BBC has a public purpose to invest in the creative economies of the United Kingdom’s nations and regions. I have raised this here before, but it is so important that it deserves to be highlighted again: there is no requirement for the BBC to invest to the same extent in each of the UK nations or regions. In the year 2020-21, £101 million of the licence fee raised in Scotland was spent by the BBC elsewhere in the UK. Scotland and its creative economy are consistently being short-changed.

The Scottish film, radio and television industry is booming. We have skilled and talented people who are building the foundations of an independent Scotland’s public broadcasting service. We should build on that success and be even more ambitious for the sector. Defending public service broadcasting is absolutely essential to supporting our creative industries.

16:34

**Pauline McNeill (Glasgow) (Lab):** Public service broadcasting matters, and I am an enthusiastic supporter of its place in the

dissemination of important stories and information. I agree with Jenni Minto about the importance of BBC Alba. In fact, I campaigned for it, because I believe that Gaelic broadcasting is very important, and it is an excellent channel.

As other speakers have said, we value public broadcasting now more than ever when we see the Russian state and other dictatorships control the freedom of their media. As Alex Cole-Hamilton said, the BBC World Service changed its frequency to the less used short wave, to let ordinary Russians hear the truth of the dangerous war in Ukraine, so it has indeed done the world a service.

In the UK, 91 per cent of adults use BBC television, radio or online services every week, and the BBC reaches half a billion people outside the UK every week, which is quite staggering. Many tune into the World Service and BBC World News, and the BBC operates in 42 languages, from Korean to Punjabi. I love the BBC Asian Network and Radio 6 Music. There is plenty of innovation, and it never stops. The BBC sets the bar internationally, and I believe that its existence means that, across the world, broadcasting overall is of a much higher standard.

With the growth of misinformation and the present huge propaganda war being waged by Russia, trustworthy news sources matter now more than ever. As Donald Cameron said earlier, the BBC Russian language news site has tripled its audience.

I agree with the First Minister when she said this week that journalists, such as Clive Myrie, who have been playing such an important role from Ukraine, are “unsung heroes”. That has always been the case for journalists across the stations. Lyse Doucet, the BBC’s chief international correspondent, has covered every conflict zone that I have ever followed.

Many years ago, along with Sarah Boyack, I had the privilege of meeting Alan Johnston, who was kidnapped in Gaza in the mid-2000s. I also had the opportunity to meet Rageh Omaar in Gaza, when he bravely replaced Alan Johnston. He now works for ITV.

It is also worth remembering that the BBC’s values are to inform, educate and entertain, and it has been doing just that during the pandemic. The BBC Scotland channel offered a daily range of programmes for primary and secondary learners, which focused on the curriculum for excellence.

I am proud of the work that BBC Scotland does and I am proud that it is based in Glasgow, the city that I represent. I agree with Jenni Minto on the importance of radio output. I take this opportunity to applaud the work of journalists Fiona Stalker and John Beattie for their incredible coverage of

the current issues of violence and harassment against women. In my view, Sam Poling’s eight-part series “Disclosure” on BBC Scotland led to the arrest of a man who is believed to have murdered Emma Caldwell. Our broadcasting, including our drama and documentaries, is crucially important.

One thing on which I agree with Stephen Kerr is that BBC Scotland’s current affairs output and coverage of Parliament could be better. As Christine Grahame alluded to earlier, at one time, we had much better coverage. I would like to go back to those days.

At the start of the year, Nadine Dorries, the UK culture secretary, announced cuts to the BBC’s funding, as previous culture secretaries have done. She said that the current licence fee agreement between the UK Government and the corporation “will be the last”. I would really call on the Tories and the UK Government to settle their position on the BBC, instead of threatening it every time that they take office.

Let us not forget the UK Government’s recent attack on Channel 4, which is another publicly owned, non-profit organisation that invests in commissioning programmes. Last year, the UK Government launched a consultation into the ownership of Channel 4 and made it clear that it wants the station to be privatised. I believe that the flagship news programme at 7 pm on Channel 4 has the best news coverage—

**The Deputy Presiding Officer:** Ms McNeill, please bring your remarks to a close, because you are well over your time.

**Pauline McNeill:** [*Inaudible.*]—to everyone for listening to my contribution to this debate.

**The Deputy Presiding Officer:** Thank you. We have absolutely no time in hand; we are well behind. I ask members to stick to their allotted time of four minutes.

16:39

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** Presiding Officer, before I speak, can I check that the clock is correct?

**The Deputy Presiding Officer:** The clock was wrong but is now correct. I had written down when Ms McNeill’s speech started.

**Christine Grahame:** Thank you for that clarity.

In war as in peace, the independence of our broadcast media must be protected from political interference. That independence presents, of course, a stark contrast to the sight and sound of what happens when the state has outright and unfettered control of public broadcasting, as it

does in Russia as that country wages war on its innocent neighbour.

We know that Russia is using cluster bombs, that civilians are being targeted and that Ukrainians do not welcome the invaders but the vast majority of Russians do not know that. In Putinspeak, it is a special mission to rescue Russians living in Ukraine from Nazi-like persecution and from a predatory NATO, and that Russians are the victims. That is what happens, in extremis, when politicians censor and suppress a free press—which, even in a democracy, we must guard against. Independent broadcasters, such as the television channel Dozhd and its website, and radio station Ekho Moskv, have been shut down as Russia eradicates non-state media. We must hope that, through social media, and especially through the eyes of the younger generations, the truth of the war is seen for what it is in all its barbarity.

The public purpose of the BBC is, inter alia,

“To provide impartial news and information to help people understand and engage with the world around them”,

through

“accurate and impartial news, current affairs and factual programming ... Its content should be provided to the highest editorial standards.”

I want to address that last point.

We have wall-to-wall coverage of the invasion. We are seeing real-time reports, analysis, and political and international commentary. Twenty-four-hour rolling news means that there must not be any unfilled airtime; however, quantity does not always equate to quality.

Some questions for politicians are asked as if Russia were not monitoring every word for intelligence and propaganda purposes. Sometimes there is inappropriate reporting. It is true that an individual’s experience or an image brings us the human face of war but sometimes a line is crossed. Do we really need to see a microphone thrust into the distressed face of someone who is desperately trying to board a train and hear them asked, “How are you feeling?” It makes me uncomfortable.

Real-time reporting requires not only professional judgment but empathy. It also requires that such reporters do his or her own editing. It requires that they see that line, recognise it and do not cross it. Most reporters, particularly senior reporters, have skills and experience that they gained in other dreadful conflicts, and it shows. I commend all who are out in the field and reporting against a background of sirens and explosions.

However, even some on-camera questioning in studios has been unnecessarily intrusive, verging

on the tasteless and even asinine. This is not a soap opera, and we must not let it turn into one. This is not entertainment to fill the lines of communication—it is for real. I suppose that I am getting angry and other people are not, and I know that we each have our own red lines, but I feel at times that such reporting crosses a line.

That said, it is in times of international crisis, such as the misery and murder in Ukraine, that our public broadcasting is most valued. I commend it, and I would make it clear that I wish not for editorial censorship but for editorial sensitivity.

Above all, I am glad that I am able to offer these public criticisms for consideration, because I live in a democracy. Minute by minute, the Ukrainians are fighting desperately to retain one.

16:43

**Maggie Chapman (North East Scotland) (Green):** I associate myself with the comments that have been made about broadcasters reporting on and in Ukraine.

I will focus on an issue that I think is fundamental to any public service broadcaster. Underpinning any functioning democracy is information—good-quality information—and the effects of communicating that information. The public service element in those communications is vital. A healthy democracy is an informed democracy.

However, a central pillar of the effectiveness of communication is trust. People need to be able to trust the information that they receive, especially the information that comes through mass media channels. Therefore, they need to be able to trust the channels that communicate information. It follows that we, as a society, need to create the conditions in which trust in communications channels can be developed and sustained.

There are different elements to that. Independence is vital: public service broadcasters need to be independent of governmental and corporate influence and lobbying. Linked to that, broadcasters need to ensure that they understand, and communicate effectively, that different approaches might have different levels of trustworthiness. Information that is based on science or human rights is of a different quality to information that comes from a lobbying group. Broadcasters need to ask difficult questions, even if doing so threatens their own interests.

Being trustworthy means broadcasters must also reflect the reality that people live and the identities that make up our communities. In Scotland, I think that that means acknowledging the different languages that we speak as well as many other things. Gaelic media deserve the

same status in statute as Welsh broadcasting and I hope that any legislation relating to broadcasting in Westminster—until broadcasting is devolved, of course—will seek to address that and ensure that indigenous minority language media are protected, including in the digital sphere.

Being trustworthy means that broadcasters must communicate in ways that are accessible but do not involve the watering down of content. They must not say one thing to one audience and something else to a different one. Audiences should be treated with respect and dignity and without pretending that complex issues are beyond people's comprehension. Broadcasters must also understand the power of their media and the ways that information and ideas can be distorted, deliberately or otherwise, leading to exclusion, prejudice and even tragedy. People who have the privilege of being able to say whatever they like and courting deliberate controversy need to bear in mind that there may be consequences from what they say and that it will be someone else who pays the price.

In short, trustworthy media should always be reaching up and out, not punching down; speaking truth to power, not propaganda to the powerless; and it should not be immune from criticism. It is that point that means that, although I agree with much in the Labour amendment, we cannot support it. A public broadcaster must be scrutinised, and criticised where appropriate, to ensure that it continues to serve the public interest, and it needs to be properly funded. I am sorry that Labour chose to remove the important point about fair funding for Scotland's public broadcasting.

**Sarah Boyack:** The point is that we are not getting fair funding anywhere in the BBC—£1 billion has been cut in every year from 2017 to this year. It is not the share that we get in Scotland but the pot that is diminishing as costs rocket during the pandemic. That is the point that we are getting across.

**Maggie Chapman:** I do not disagree with that point, but that is not how the Labour amendment reads.

I will say one final thing about the value of trustworthy public service broadcasting. In addition to being a cornerstone of a healthy democracy, it is a linchpin of a society's cultural identity. I look forward to enjoying many more broadcasts from Scotland's public broadcasters, Screen Scotland and the wonderfully talented and creative artists, journalists, writers, musicians, technicians, and everyone else who makes public broadcasting possible. Long may it continue.

**The Deputy Presiding Officer:** Kaukab Stewart is joining us remotely.

16:47

**Kaukab Stewart (Glasgow Kelvin) (SNP):** In 1922, the inception of what would become the UK's very first public service broadcaster marked an important epoch in our cultural history. The BBC, like all public service broadcasters, would produce content to serve the people, not commercial interests or the ruling party, operating under its commitment to "inform, educate and entertain".

That commitment was exemplified when the BBC covered its first major news story: the 1926 UK general strike. Fearful amid the chaos, Prime Minister Stanley Baldwin attempted to commandeer the broadcaster. During a series of exchanges with the BBC's managing director, John Reith, it was argued by Mr Reith that such a move would destroy the company's reputation for honesty and impartiality. Remarkably, the Prime Minister conceded; the BBC would remain independent.

There have been many significant milestones, from the moon landing to David Attenborough's "Life on Earth" and gritty, pioneering dramas such as "Grange Hill", in which difficult topics such as drug addiction could be explored and key messages provided to its teenage audience without sermonising or finger-wagging. Younger broadcasters, such as Channel 4, are also governed by their public service remit. Over the years, it too has brought us many ground-breaking series.

Programmes such as "Blue Peter", which is the longest-running children's TV show in the world and still airs today, and family favourites such as Balamory bring a nostalgic warmth for many. I also acknowledge the educational provision, most notably on BBC Bitesize Scotland. Students can listen to David Tennant explaining the importance of renewable energies with the help of a host of quirky characters including Snazzy Solar and Mighty Hydro. Many examples of what public service broadcasters have brought to us have been mentioned in the debate. However, under the Westminster Tories, they are now at risk.

The threat of privatisation is now dangled over the heads of those at Channel 4, the remit of which means that it is not reliant on Government funding, instead commissioning its content from more than 300 independent production companies.

As for the BBC, in one fell swoop, the Secretary of State for Digital, Culture, Media and Sport declared that BBC funding via licensing fees would be frozen for two years and that that funding's future was "up for discussion". That freeze represents real-terms cuts that are worth hundreds of millions of pounds and that will directly impact

the ability to take creative risks and invest in quality programming.

The freeze undoubtedly came as a surprise to many, but perhaps less surprising was the lack of consultation with devolved nations. There are reviews to the BBC's charter but, once again, we remain an afterthought.

In spite of the challenges of the pandemic, we have seen a much welcome increase in made-in-Scotland TV and film production, and in my constituency of Glasgow Kelvin, the Government has helped to fund additional studio infrastructure, investing £7.9 million in a new television studio in Kelvin Hall. I thank Fiona Hyslop for mentioning that in her speech.

We must do all that we can to protect those in Scotland who pay the price of Tory cuts to public service broadcasting. In a world of ever-growing fake news and uncertainty, we must defend those who act in the interests of the people, not of private shareholders.

**The Deputy Presiding Officer:** Thank you, Ms Stewart. Jamie Greene will be the last speaker in the open debate. You have up to four minutes.

16:51

**Jamie Greene (West Scotland) (Con):** Thank you, Presiding Officer. Four minutes is very little time to cover a hundred years of proud history of broadcast, or indeed a decade of my life spent in public and private television in a variety of roles. I started as a runner on the floor of a live TV show and ended up running the commercial arm of an international media conglomerate based in New York. TV has been kind to me, at least behind the camera—it certainly adds years and kilos in front of it.

I will make a few important points. I am afraid that the first one is non-consensual, because I am struck by the total irony in the Scottish National Party's motion and its newfound unconditional love for Auntie. I am afraid that the 2014 referendum brought out the very worst in anti-BBC rhetoric—admittedly on all sides, but specifically from those who saw and heard the BBC, through venomous eyes and ears, as some form of UK establishment conspiracy theory. It strikes me as a little odd that those who claim that the BBC was rigged against them are now its apparent saviours.

Do not get me wrong. Although plenty of people out there say, "defund the BBC", I am not one of them. I am equally clear that, after my 15 years of dealing with the BBC, I see its faults. I see what it does well, but I also see where its strategic commercial moves have erroneously encroached, leading to what is almost a market distortion.

Let us treasure what the BBC does well. We have spoken about BBC News already. We are reminded more than ever of its importance, whether it is broadcasting shortwave to Ukrainians, or Persian language content to the oppressed in Iran. The figures that we see night after night—Orla Guerin, Lyse Doucet, Clive Myrie, James Waterhouse—have families of their own, but they put on their backpacks and their North Face clothing and off they go, as near to the front line as the BBC risk assessment will let them. They are the true heroes of public service broadcasting.

The second success is radio. It is no secret that I am a closet "Archers" fan—I am sure that there are many in the chamber today. Helen Archer's tragic domestic abuse story drew me in, as it drew many millions to the programme, and "The Archers'" gritty realities kept me on the hook: Philip Moss and his modern slavery story, gay fatherhood, and agricultural downturn. The BBC does well what it does well—continuity and comfort—and does it for free for those who need it most, and that service should never be at risk. That being said, it cannot be all things to all people.

The third success is specialist content. The BBC does that well and does it big—wildlife, history, the environment, religion—and it monetises it all handsomely through BBC Worldwide, just like in the real world.

The fourth success is that it does things that no one else does because they have neither the time nor the money. It supports our communities: the black, Asian and minority ethnic community; provides Welsh, Gaelic and Irish language output; and supports the LGBT community.

I now come to the not so good. The BBC distorts the market. BBC Maestro, iPlayer and BBC Sounds all compete head to head every day with commercial going concerns. The BBC has an endless, obsessive ratings war with ITV and Virgin Radio. None of those decisions was ever truly market assessed. If adverts were put on BBC Radio 2, the station would be self-sufficient without tax subsidies but, if the BBC did that, it would have to ditch the £1.3 million breakfast show presenter salary, which it does not want to do.

The SNP's argument on fair funding is flawed. It is hard to imagine what we would get for just £400 million, if we divvied up licence fee money on a population-based formula. Just the same as anyone who is anywhere else in the UK, Scottish viewers and listeners benefit from multimillion pound productions and millions of hours of visual and audio content—Attenborough, Downton and "His Dark Materials". Let us not stoke grievance for the sake of it.

I will fight for the BBC and its right to exist in free-to-air form, but it must grow with the times and it must remember its roots. For now, I say to those people in war zones who are listening to the voices and watching the faces of our BBC that I hope it brings you knowledge, comfort and, more importantly, friendship in the dark days that you will face ahead.

16:55

**Foyso Choudhury (Lothian) (Lab):** Today, we have heard considerable support for the future of public service broadcasting. We have heard how it benefits the Scottish economy and Scottish culture. We have also heard criticisms—some of which were fairer than others—of the BBC and the state of public service broadcasting in this country.

The motion welcomes the increasing number of productions that are being made in Scotland and the on-going efforts of Screen Scotland to attract productions. Scottish Labour agrees with that. We also strongly agree with the sentiments in the motion on defence of the BBC and Channel 4 against threats to their “operational independence”.

The BBC is a national asset. Although it is not infallible, it is envied around the world for the quality of its productions and the reliability of its journalism.

The UK Government seems to be content to use the BBC and Channel 4 as red meat to throw to Tory back benchers in Westminster—no doubt, in order to keep them on side after recent scandals. However, what it proposes would be an act of cultural vandalism for only momentary political gain.

Where Scottish Labour cannot agree with the motion is in the demand that BBC Scotland receive a “far fairer” share of the licence fee income that is raised in Scotland. We do not believe that that compares like with like. The “BBC Group Annual Report and Accounts 2020/21” show that, in the most recent pre-pandemic year, 85 per cent of the licence fee that was raised in Scotland was spent in Scotland. Given the inevitable outside costs of its broadcast service, international journalism, sports coverage and global media monitoring, that seems to be reasonable. My colleague Sarah Boyack noted the incredible work of the BBC in covering Ukraine and Russia. We can be proud of those parts of the BBC without considering the spending on them to be anti-Scottish.

The share of the licence fee that is spent in Scotland has, of course, fallen during the pandemic, when the BBC has been forced to cut non-essential TV production. We must be patient and see whether investment returns to its pre-

pandemic level before we make sweeping judgments about fairer funding for Scotland.

**Jenni Minto:** Will Foyso Choudhury take an intervention?

**Foyso Choudhury:** I have a lot to go through, so I will carry on.

Instead, the fairer funding issue that we should be considering is to do with working conditions in the screen industry. Sarah Boyack has already highlighted the difficulties that women and parents face in the industry because of the working conditions that are now common. Our amendment to the motion suggests that secure working conditions and support for talent in Scotland should be priorities.

Although we have a screen sector that we can be proud of, more can be done to maintain the sector and to support the people who work in it. Scottish Labour believes in a vibrant public service broadcasting sector, and our amendment seeks to preserve it into the future. I invite members to support it.

**The Deputy Presiding Officer:** I call Sharon Dowe to wind up for the Scottish Conservatives.

17:00

**Sharon Dowe (South Scotland) (Con):** It is a pleasure to close the debate on behalf of the Scottish Conservatives. From across the chamber, we have heard about the great value of public service broadcasting to the Scottish people. As has been mentioned, platforms include the BBC, Channel 4 and STV, which continue to play a key role in educating, entertaining and informing audiences across Scotland.

During the debate, colleagues have raised key points about the value of public service broadcasting. For example, Donald Cameron highlighted the work of BBC Alba and MG Alba in promoting the Gaelic language, as did Jenni Minto, Pauline McNeill and Maggie Chapman.

Angus Robertson spoke about the value of reporting the conflict in Ukraine, as did Sarah Boyack. I would be interested to hear about the cabinet secretary’s future plans, which he was going to talk about in his speech, but his time was cut short.

Alex Cole-Hamilton said that public service broadcasting is vital to the health of our democracy. Among other things, Fiona Hyslop mentioned the success of Channel 4 and the number of producers that it supports.

Stephen Kerr spoke about the soft power of public broadcasting and the need to support and protect it, as well as the need for increased coverage of his speeches in Parliament—I am

sorry; I should have said “our speeches”—which Pauline McNeill agreed with.

Christine Grahame spoke about editorial sensitivity, while Jamie Greene talked about his experience in the sector.

From Scottish independent production companies to Screen Scotland, many organisations benefit from public service broadcasting. For example, the renewed commitment between BBC Scotland and Screen Scotland will strengthen the production sector and raise its profile across the UK. In addition, various BBC-led initiatives have created opportunities for young individuals, including “Make it Digital”, which is a UK-wide initiative to inspire people to get creative with programming, coding and digital technology; “Ten Pieces”, which opens up the world of classical music to seven to 14-year-olds by offering a variety of films, lesson plans and live events; and the Scottish drama writers programme 2021, in which the BBC partnered Scotland-based writers with independent production companies to develop authentic network dramas.

Profound changes in the media landscape for local newspapers resulted in the creation by the BBC of the local democracy reporting service. Research by *Press Gazette* found that there had been a net loss of 265 newspapers in the UK since 2005. The local democracy reporting service has created up to 150 jobs across the UK to improve reporting on local democracy issues.

Channel 4 has spent more than £200 million on Scottish productions since 2007, and it annually invests around £20 million, which provides a boost to the Scottish screen industry.

**Siobhan Brown (Ayr) (SNP):** Will the member take an intervention?

**Sharon Dowey:** I am sorry. I do not have enough time.

Channel 4 has supported the growth of businesses through its growth fund and its alpha fund, and its training schemes have benefited more than 10,000 people since 2015. It has funded 15 production trainees at Scottish independent production companies, as well as numerous apprentices.

I recently met the heads of several Scottish independent production companies, who strongly believe that there is positive momentum at present, which has been supported by the opening of Channel 4’s new creative hub in Glasgow. That will shift the production centre of gravity away from London, to Glasgow and beyond.

STV has also made a significant contribution, including through the work of STV Studios, which is Scotland’s biggest production company, and

“STV News”, which is the most-watched news programme in Scotland.

**Emma Harper (South Scotland) (SNP):** Will the member take an intervention?

**Sharon Dowey:** No—I will be out of time soon. I am sorry.

STV helps to fuel not only the creative industry but many businesses, through its growth fund, its green fund and its local lifeline campaigns.

I am happy that PSBs are now also benefiting from the transformation of the Kelvin hall in Glasgow into Scotland’s biggest film studio.

We have made a good start in moving away from centralisation, but we need to do more. It is vital that we have more initiatives across Scottish rural areas. We have a wealth of talent in our rural areas in fields such as music and theatre, and we need to capitalise on that.

The Scottish Conservatives continue to support public service broadcasting because it brings many benefits to Scotland. BBC Scotland, Channel 4 and STV create jobs, support countless roles in the freelance and creative economies, drive our creative sector and provide world-class programming that is made in Scotland. All members can agree that we want to see public service broadcasting succeeding in the 21st century.

**The Presiding Officer (Alison Johnstone):** I call Neil Gray to wind up the debate—for up to seven minutes, minister.

17:05

**The Minister for Culture, Europe and International Development (Neil Gray):** It is a privilege to close what is an important debate on the value of public service broadcasting and its pivotal role in Scotland’s past, present and future. The variety of the contributions has illustrated just how much public service broadcasting and the development of our screen sector mean to colleagues as individuals and to the communities across Scotland that we represent.

My background, like the cabinet secretary’s, is in broadcasting. From a personal and professional standpoint, I fully endorse all that has been said about the essential value of public service broadcasting, free speech and freedom of information—particularly at what is a critical time for Ukraine. The public service part of our broadcasting system comes to the fore at times such as this. When people cannot rely on their broadcasters for truthful news, or when an invading power targets national broadcasters—as has happened in Kyiv, as we heard from the cabinet secretary—audiences turn to media such

as the BBC World Service. We are reminded of the priceless value that the less commercial parts of our truly public broadcasting services offer at times such as this.

It is important to pay tribute, as others have done, to those journalists who are reporting from Ukraine. They include print journalists, of course; however, it has been striking to see the likes of Clive Myrie and Lyse Doucet reporting from the underground shelters in Kyiv. They are reporting for and with the brave people of Ukraine. In doing so, they face similar risks to those faced by the people they are sheltering alongside. I also pay tribute to the Ukrainian TV cameraman Yevheniy Sakun, who was killed by the disgraceful missile strike at Babyn Yar, which is a burial place for 30,000 Jews who were killed in the Holocaust. Oppressive regimes and dictators target freedom of speech. It is critical that, as part of our support for democratic values, we fight to protect impartial journalism.

The debate is also a timely reminder that public service broadcasting is as valuable as ever to our democracy, to our creative economy and to our culture. Public service broadcasters—in particular, the BBC and Channel 4—have a pivotal role to play in supporting and continuing the growth of our screen sector through their renewed commitment to greater commissioning and spend in Scotland.

As has been alluded to by the cabinet secretary and others, we are seeing a transformation of our screen sector, with increased high-end and original production, a burgeoning range of studio spaces and more opportunities to showcase our talent on the world stage. Our efforts to increase funding and create the dedicated screen partnership Screen Scotland have helped to drive that change, which is delivering enormous benefits for our economy and our crews and for the sustainable growth of our companies. I pay tribute to Fiona Hyslop for the role that she has played in that success.

Despite the success of securing more studio space, exciting productions and new original content, much more needs to be done, particularly in skills and training, to develop Scotland-based talent, produce more authentically Scottish content and maintain a growing industry. We are already working to deliver that, and we are determined to continue that support.

I will reflect on some of the points that have been made in the debate. I agree with many points that were made by Donald Cameron in his reflections on the increased BBC readership in Russia and on the role of the Parliament in the BBC's charter. That is welcome. However, I note that, when given the opportunity to demand the protection of commissioning by Channel 4 across nations and regions, he neglected to do so. In

addition, his amendment would open the door to further cuts to the BBC and to the privatisation of Channel 4, putting at risk all the values and investments that we have spoken about.

I welcome Sarah Boyack's explicit support for public service broadcasting, as exemplified by the events of this week, and I agree with much more of what she said—not least about the need for a greater share of spending by the BBC in Scotland. I also welcome her point that the UK Government's freezing of the licence fee makes those aspirations much harder.

Alex Cole-Hamilton made another good speech, in which he talked about how public service broadcasting fostered togetherness throughout Covid but also gives us unbiased coverage—in stark contrast to Putin's misinformation regime. I absolutely deplore the online abuse directed towards Sarah Smith and other journalists that he mentioned. We must all reflect on how we can do better in that regard.

Fiona Hyslop spoke about the existential threat to public service broadcasters from some UK politicians and reflected on the fact that more news is consumed in Scotland than is consumed elsewhere. Her knowledge and experience shone through in a very powerful and wide-ranging contribution.

Stephen Kerr congratulated Kathryn Samson, quite rightly, on her RTS award. Without breaking the consensus that there has been in the debate, I would just reflect on the fact that Kathryn became very well known for her interviewing of Boris Johnson on his cuts to universal credit. Stephen Kerr seemed to be surprised that there was support from SNP members for more coverage of this Parliament. We want to see that increased.

Jenni Minto, another former BBC employee, was absolutely right about the role that the Gaelic language plays and her constituency's role in that.

Pauline McNeill was also absolutely right. What she said was short, sharp and to the point: public service broadcasting matters.

I enjoyed Christine Grahame's speech and her reflections on political interference and the need to ensure that there is appropriate reporting of horrific events such as those that we are seeing in Ukraine.

Maggie Chapman was absolutely right about how trust is linked to editorial independence.

Kaukab Stewart gave wonderful reflections on the BBC's history. Growing up, I, too, loved "Blue Peter" and "Grange Hill".

Jamie Greene was another member who reflected on his broadcasting past. I would reflect

that I was a radio journalist—I certainly have the face for it.

I heard contributions from across the chamber that supported our motion and celebrated the achievements of those who work in our film and TV companies, who play such an important role in presenting Scotland to the world. The progress is clear, but we cannot take it for granted. We have welcomed the renewed commitment from the BBC and other public service broadcasters to spend more in the nations, to commission more content and to increase their footprint of high-level decision-making posts to drive our sector. We welcome the progress that has been made so far, but we need to see that commitment fully delivered, with genuine development of projects conceived and made in Scotland. We also expect broadcasters to redress the historic underinvestment in Scotland and the BBC to start spending here the same proportion of the licence fee that is raised here as it spends in other nations.

We must recognise that recent moves by the UK Government to cut funding for the BBC—not just through freezing the licence fee, but through passing it responsibility for free TV licences for the over-75s without giving it resource—risk its output, just as the potential privatisation of Channel 4 risks its valuable support for our independent sector. At the very time when our sector is taking off, with the renewed support of the public service broadcasters, the UK Government looks set to undermine all that hard work.

One way to ensure that we maintain Scotland's role in the charter process is by ensuring that the role of this Parliament is respected. I urge all members to support the motion and to work together for the continued success of Scotland's screen industry.

## Decision Time

17:13

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

There are three questions to be put as a result of today's business. I remind members that, if the amendment in the name of Donald Cameron is agreed to, the amendment in the name of Sarah Boyack will fall.

The first question is, that amendment S6M-03420.2, in the name of Donald Cameron, which seeks to amend motion S6M-03420, in the name of Angus Robertson, on the value of public service broadcasting to 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.

17:13

*Meeting suspended.*

17:19

*On resuming—*

**The Presiding Officer:** We move to the division on amendment S6M-03420.2, in the name of Donald Cameron. Members should cast their votes now.

**For**

Balfour, Jeremy (Lothian) (Con)  
 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)  
 Dowey, Sharon (South Scotland) (Con)  
 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)  
 Greene, Jamie (West Scotland) (Con)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whittle, Brian (South Scotland) (Con)

**Against**

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Boyack, Sarah (Lothian) (Lab)  
 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)  
 Choudhury, Foyso (Lothian) (Lab)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 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)  
 McArthur, Liam (Orkney Islands) (LD)  
 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)  
 Mochan, Carol (South Scotland) (Lab)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 O'Kane, Paul (West Scotland) (Lab)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)

Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Slater, Lorna (Lothian) (Green)  
 Smyth, Colin (South Scotland) (Lab)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division on amendment S6M-03420.2 is: For 27, Against 87, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S6M-03420.3, in the name of Sarah Boyack, which seeks to amend motion S6M-03420, in the name of Angus Robertson, on the value of public service broadcasting to Scotland, be agreed to. Are we agreed?

**Members:** No.

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

**For**

Baker, Claire (Mid Scotland and Fife) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Choudhury, Foyso (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 McArthur, Liam (Orkney Islands) (LD)  
 Mochan, Carol (South Scotland) (Lab)  
 O'Kane, Paul (West Scotland) (Lab)  
 Rennie, Willie (North East Fife) (LD)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Sweeney, Paul (Glasgow) (Lab)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)  
 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)  
 Balfour, Jeremy (Lothian) (Con)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)

Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 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)  
 Dowey, Sharon (South Scotland) (Con)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Findlay, Russell (West Scotland) (Con)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Etrick, Roxburgh and Berwickshire) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lumsden, Douglas (North East Scotland) (Con)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (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)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Simpson, Graham (Central Scotland) (Con)  
 Slater, Lorna (Lothian) (Green)

Smith, Liz (Mid Scotland and Fife) (Con)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Whittle, Brian (South Scotland) (Con)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division on amendment S6M-03420.3 is: For 22, Against 93, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The final question is, that motion S6M-03420, in the name of Angus Robertson, on the value of public service broadcasting to Scotland, 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)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 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)  
 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)  
 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)  
 McArthur, Liam (Orkney Islands) (LD)  
 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)  
 Rennie, Willie (North East Fife) (LD)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Balfour, Jeremy (Lothian) (Con)  
 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)  
 Dowey, Sharon (South Scotland) (Con)  
 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)  
 Greene, Jamie (West Scotland) (Con)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whittle, Brian (South Scotland) (Con)

#### Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Choudhury, Foysol (Lothian) (Lab)

Clark, Katy (West Scotland) (Lab)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 O'Kane, Paul (West Scotland) (Lab)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Sweeney, Paul (Glasgow) (Lab)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)

**The Presiding Officer:** The result of the vote on motion S6M-03420, in the name of Angus Robertson, on the value of public service broadcasting to Scotland, is: For 70, Against 27, Abstentions 18.

#### *Motion agreed to,*

That the Parliament believes that public service broadcasting has a valuable role in society and provides vital platforms for the creative economy and cultural richness of the nation; recognises that substantial progress has been made in the last decade in increasing the volume of screen production made in Scotland, and welcomes Screen Scotland's actions to continue to attract productions; notes that broadcasters and producers like the BBC and STV have a vital role in the Scottish screen sector to help develop talent both on and off screen; condemns any efforts to undermine the BBC and Channel 4's operational independence by the UK Government; calls for BBC Scotland to receive a far fairer share of licence fee revenues raised in Scotland, and further calls for the Scottish Parliament's role in BBC Charter Renewal to be respected.

*Meeting closed at 17:26.*

## Correction

Keith Brown has identified an error in his contribution and has provided the following correction.

### **The Cabinet Secretary for Justice and Veterans (Keith Brown):**

*At column 93, paragraph 8—*

*Original text—*

I will respond directly to Mr Kerr's question. On 24 January, a member of the Scottish Prison Service who was using the system found an issue with it. They contacted the help desk that is provided by those who are there to support the system. They had to be certain that it was not an individual user issue, and it took time to do that. They ran tests in parallel with the system. That took until 23 February.

*Corrected text—*

I will respond directly to Mr Kerr's question. On 13 January, a member of the Scottish Prison Service who was using the system found an issue with the system and contacted the helpdesk. They had to be certain that it was not an individual user issue, and it took time to do that. They ran tests in parallel with the system. That took until 23 February.



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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