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Scottish Parliament

Tuesday 31 May 2022

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

Time for Reflection

The Presiding Officer (Alison Johnstone): Good afternoon. The first item of business is time for reflection, for which our leader is Mike Pilavachi MBE, who is senior pastor at Soul Survivor Watford church.

Mike Pilavachi MBE (Senior Pastor, Soul Survivor Watford Church): Good afternoon.

Late one evening, a friend of mine was on his way home when he saw a 15-year-old boy sitting on a fence and sobbing. They began to chat, and the boy shared his story. He had never known his dad, his mum had died two years earlier and both his older brothers were in prison. He was being looked after by a social worker who, in his words, “Didn’t want to know,” and his girlfriend had just broken up with him. The boy kept repeating through his tears, to a complete stranger, “I just want to know that someone loves me. I just want to know that someone loves me.”

That boy’s cry—the desire to be loved—is rooted inside the heart of every person. It might just be that some of us are better at hiding it than he was. Some time ago, the mayor of Watford visited our church and we asked him what, in his opinion, was the greatest problem that Watford faced. His response? “The number 1 problem is loneliness. The number 2 problem is car parking.” I am here to tell you that car parking in Watford is a very big problem.

Sometimes, we need to remind ourselves why we continue to wrestle through the challenge of elected politics. It is because there are people in our nation who are hurting. There are people in our nation who are broken. There are people who are dying—sometimes literally—of loneliness.

There have never been more of us living on this island that we call home and yet, in a way, we have never lived further apart. We need to recognise that loneliness is as much a social ill that needs fixing as are inflation and the price of petrol.

How might we fix that? We cannot outlaw loneliness. No legislation can wrap an arm around that young boy’s shoulder and comfort him, but the leaders of a country set a tone through their behaviour. We can start by modelling love and by remembering the words of Mother Teresa, who said that

“Three things in human life are important. The first is to be kind. The second is to be kind. The third is to be kind.”

We can follow the footsteps of Jesus Christ, who demonstrated in life and death what it was to love friend and enemy alike. Publicly and privately, we can be gracious, listen well and disagree agreeably. In that way, perhaps, we will begin to give a lead in addressing the deep need of the people whom we are here to serve—that “I just want to know that someone loves me.”

Thank you.

Topical Question Time

14:05

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

Off-market Land Sales

1. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Government what steps it is taking to protect communities from off-market land sales by so-called green lairds. (S6T-00750)

The Minister for Environment and Land Reform (Màiri McAllan): Scotland's natural environment will be critical in our action to tackle climate change and ecological breakdown. We are fortunate to have in our natural world such potential to sequester carbon and support biodiversity, including through woodland creation, peatland restoration, soil management, energy generation and blue carbon. Not only will that help us to reach net zero, but it is a real opportunity for our rural communities, for investment and for good green jobs in industries of the future.

However, I understand that with opportunity comes risk. I seek to mitigate that risk with a series of options, including publishing a suite of principles in "Interim Principles for Responsible Investment in Natural Capital". Those set out the Government's expectations of those who would invest in our land, including for delivering community benefit, engaging communities and creating diverse patterns of land ownership. I am also working with the Scottish Land Commission on how to avoid off-market sales through our actions, and developing proposals for an ambitious land reform bill, on which I will consult over the summer.

Rhoda Grant: The minister will be aware that such sales are increasing. They stop communities purchasing their land and continue the concentration of ownership of land in a small number of hands. The Scottish Government has delayed action on land reform for far too long and polluters are now rushing to offset carbon emissions. We need action to prevent such sales now. They are not in the public interest and not in the interests of our planet.

Will the minister consider ending payment of public subsidies to landowners who do not live on their land or pay their taxes in the United Kingdom? She could take that action now.

Màiri McAllan: I recognise Rhoda Grant's on-going and long-standing interest in the issue.

I disagree that the Scottish Government has failed to take action on land reform. In our previous term in office, we worked to implement the Land Reform (Scotland) Act 2016, which, among other things, included implementation of the register of controlling interests in land—which is really important for transparency—and setting up the Scottish Land Commission and the Scottish land fund.

We will introduce a new land reform bill, on which I will consult over the summer. I am considering the point that Rhoda Grant made on uses and recipients of public money, and will seek to include questions on that in the consultation.

Rhoda Grant: The minister will be aware of concerns regarding food shortages because of the war in Ukraine, but green lairds are buying land, evicting farmers and using that land to offset their own polluting behaviours. What steps will she take to ensure that land is used appropriately and that trees are planted in the right places? What levers will she use to prohibit arable land and peatlands being turned into forests?

Màiri McAllan: Woodland creation is important in terms of land use and land-use change in the name of mitigating climate change and ecological decline. I am conscious of the interplay between the need to create woodlands and the need to ensure that we have sustainable food production in Scotland. Of course, we want to make that balance work well.

On tangible actions, I point Rhoda Grant to the "Interim Principles for Responsible Investment in Natural Capital" that I mentioned in my opening answer. One of those principles states:

"Carbon management should be integrated with delivery of wider environmental, social and economic outcomes, such as biodiversity improvements, resilience to food supply and natural flood management."

It is there in black and white. Those are the Government's expectations for how people will invest in our land. The matter is already being worked on and the issues are being borne in mind, as we develop the land reform bill.

Jenni Minto (Argyll and Bute) (SNP): The drive for net zero is one of the most important political endeavours of our time, but as we know, our Scottish National Party Scottish Government is resolutely committed to land reform. Will the minister expand on how the "Interim Principles for Responsible Investment in Natural Capital" will ensure that efforts to tackle climate change work alongside a desire to empower communities and continue reforming Scotland's relationship with the land?

Màiri McAllan: The "Interim Principles for Responsible Investment in Natural Capital" are precisely about ensuring that much-needed

environmental investment supports our land reform objectives, is responsible and benefits communities.

The vision in “Scotland’s National Strategy for Economic Transformation”, which we recently published, is that, by 2032, Scotland will be a wellbeing economy that is

“thriving across economic, social and environmental dimensions”.

The interim principles have a really important part to play as early action in that regard.

I quoted one of the principles that relates to food supply to Rhoda Grant. I draw Jenni Minto’s attention to some of the other principles. They include that

“Investment in and use of Scotland’s natural capital should create benefits that are shared between public, private and community interests, contributing to a just transition ... Investors and land managers should engage with ... communities in decisions about land and land use ... When acquiring new land, investors should seek early engagement with relevant local communities to ... identify opportunities to collaborate ... And investors should have full regard to Scotland’s land rights and responsibility statements.”

We will use those principles to underpin a much wider discussion and ensure that our policy development responds to a rapidly developing market. Our approach will position Scotland as an innovator in developing a new type of high-integrity values-led market that centres on community interests.

Train Cancellations (Contingency Plans)

2. Graham Simpson (Central Scotland)

(Con): To ask the Scottish Government what contingency plans it has in place should train drivers reject the latest pay offer, in light of the reported hundreds of cancellations at the weekend. (S6T-00745)

The Minister for Transport (Jenny Gilruth):

The temporary timetable that ScotRail put in place is delivering a reliable service, moving around 90 per cent of passenger numbers prior to the current disruption.

Last Friday and Saturday, additional late evening services were added. On Sunday, services were disrupted because drivers continue to not work their rest days, as is their right and choice. I know that that has inconvenienced and frustrated many travellers. ScotRail will continue to look at what more can be done to improve the weekend service availability.

Graham Simpson: There are no contingency plans, then.

Even if the Associated Society of Locomotive Engineers and Firemen recommends that

members accept the offer tomorrow, it will take three weeks to ballot them. That is nearly a month of disruption to start with.

It was carnage on the railways at the weekend. On Sunday, 320 services were cancelled—and more might be cancelled this Sunday. We are in this mess because drivers do not want to work on their days off, and why should they? Mick Hogg of the National Union of Rail, Maritime and Transport Workers says that the issue could take five years to resolve. Is he right?

We could face the same disruption next year, but the Government has rejected a multiyear deal. Why do that? That is crazy. We need stability right now, not chaos. When will the minister deliver that?

Jenny Gilruth: I will not shy away from some of the very real challenges that passengers have faced during the past two weeks. However, Mr Simpson needs to remember why the action is happening. It is action short of industrial action, but it is nonetheless true to say, as Mr Simpson has outlined, that ScotRail’s train drivers are choosing not to work on their rest days.

The rail network in Scotland has been dependent on rest day working for decades. Rest day working is not a new invention that occurred on 1 April and it is not unique to Scotland. It is also worth pointing out that TransPennine Express is currently operating a reduced timetable—it is similarly reduced to about 70 per cent—as a result of rest day working being banned. Furthermore, Northern Trains Ltd, a train operating company that the United Kingdom Government directly controls, also experienced similar disruption last weekend and that is expected to continue, and to increase.

ScotRail made the difficult decision to implement a reduced timetable from last week, which it did to give passengers greater certainty. Clearly, what happened on Sunday was far from ideal, but I am told that, because not enough drivers made themselves available to work that day, it was very difficult for ScotRail to timetable Sunday services accordingly.

ASLEF will put the offer to its executive committee tomorrow. I do not necessarily accept Mr Simpson’s description that the matter could take up to three weeks to resolve—it could be resolved tomorrow. However, that, of course, is in ASLEF’s gift, as is the right of trade unions. I am sure that he would agree with that.

Graham Simpson: ASLEF is a democratic union; it will put the matter to its members and that process will take three weeks. That is the fact of the matter.

We have had drivers sitting around twiddling their thumbs, itching to get in the cabs, even at the weekends. Tomorrow, Scotland plays Ukraine. The extra services that have been laid on at the 11th hour are welcome, but they are no use whatsoever for those coming from Dundee, Aberdeen or Perth. Other events are also coming up that deserve our attention, including the Edinburgh fringe and the 150th open at St Andrews in July. Furthermore, what about all the events that are coming up at the Glasgow Hydro? Billie Eilish will be playing there in a couple of weeks' time. Lots of young fans, including young women, will be going to that and will want to get home afterwards. Does the minister not think that there is a basic safety issue here, particularly for young women? What will she do about that?

Jenny Gilruth: We covered many of the issues in Mr Simpson's question last week at topical question time. Nonetheless, there has been some movement in relation to additional services. For example, additional services ran on Friday and Saturday, and ScotRail announced yesterday that additional services will be provided to take fans home to Edinburgh, Stirling, Ayr, Gourock, East Kilbride and Neilston. I concede that there was a delay in ScotRail announcing those services—of course, the provision of services is an operational matter for ScotRail—but that delay was to ensure that the timetable was robust and deliverable in order to give passengers reassurance and certainty about services.

It is worth saying that there has been some unclear and unhelpful commentary this week about final services for fans who will be travelling home to certain locations after the game. For example, the 7.07 train from Glasgow is the last ScotRail service to Inverness on both the full May 2022 timetable and the current temporary timetable, so there has been no change to travel options for those fans under the temporary timetable. The 6.41 train from Glasgow is the last ScotRail service to Aberdeen on the temporary timetable, and the 9.40 train was the last service under the May 2022 timetable—fans would not have been able to use that service after the game. The 7.13 train from Glasgow is the last service to Dumfries on the temporary timetable, and the 10.13 train was the final service on the full May 2022 timetable, so fans who stayed until the end of the match would not have been able to use that service. Therefore, for fans in the north and for some fans in the south, the temporary timetable makes little difference. Many of those fans will be travelling by private hire bus.

I am sure that Mr Simpson, like me, would like to take the opportunity to wish Scotland's men's team all the best for tomorrow's match.

John Mason (Glasgow Shettleston) (SNP): Everybody would like to have a pay increase that matches inflation, but that would clearly not be affordable. Will the minister encourage ASLEF and RMT members to accept the pay offer? That would be for the good of the general public, it would help us to recover from the pandemic and it would help us to address climate change.

Jenny Gilruth: I agree with the sentiment of the member's question, although the decision is for ASLEF to make.

The importance of Scotland's railway to our recovery from the pandemic cannot be underlined enough. In order to address climate change, we need to facilitate a modal shift so that we get folk out of their cars and back on to public transport, particularly rail. We know that patronage has not yet recovered from the effects of the pandemic.

More can be done to address the cost of living crisis. Recently, ScotRail announced a number of ticket offers, and I am keen that such offers continue.

However, we can do very little to take forward our vision for ScotRail—which is largely shared by our trade union partners, who campaigned for public ownership—with reduced timetables and fewer services. I hope that union members will consider the current offer positively and will see it as fair and affordable, so that we can all focus on working together to make public ownership of Scotland's railways a success.

Investing in Scotland's Future

The Presiding Officer (Alison Johnstone):

The next item of business is a ministerial statement by Kate Forbes on investing in Scotland's future. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:18

The Cabinet Secretary for Finance and the Economy (Kate Forbes): The resource spending review today details how we will invest more than £180 billion to deliver the Government's priorities in the coming years. I am also publishing our medium-term financial strategy, an accompanying equalities statement and a review of the capital programme.

We are, of course, still recovering from the Covid pandemic. There is acute pressure on the national health service, on businesses and on the wider economy. The illegal Russian invasion of Ukraine is a humanitarian crisis that is affecting the global economy. Rising energy prices and constrained supply chains have affected countries worldwide.

Although inflation is also impacting other countries, it is not impacting them equally. The United Kingdom currently has the highest inflation rate of any G7 country—it is almost twice the rate of France. Brexit has made the problem worse, with increases in food prices hitting the poorest hardest. We are experiencing an unprecedented cost of living crisis. Inflation is at a 40-year high, at 9 per cent, with households facing considerable hardship.

The Scottish Government is doing all that it can in response. It is prioritising additional funds to help households in need, but the limits on our fiscal and economic powers, in turn, limit the support that we can offer. This Government faces the same interrelated challenges as other Governments face across the globe—significant volatility, sharply rising inflation and a need for greater investment to aid Covid recovery and to shield people from the impact of the cost of living crisis—but we face those challenges without the tools and levers that other Governments have at their disposal.

Although I welcome the more targeted grant-based support that the chancellor announced last week, £400 per household is less than half of the predicted forthcoming rise in the energy price cap, and that is before factoring in the pressures that families face right now. Of course, that help has been funded disproportionately by taxes on Scottish industry. The chancellor's efforts were in reserved areas, so there is little consequential

funding. We will consider where there are gaps and who most needs the most help, before we decide how to allocate any further limited funding.

Today's resource spending review is not a budget. Change to the fiscal position is inevitable over the next few years—for the better, one hopes—and tax decisions will be taken in future budgets. However, it is essential to share high-level financial parameters with public bodies, local government and the third sector, so that we can plan ahead together.

The basis for our spending plans was set out in the Bute house agreement and the programme for government. Our long-term ambitions for Scotland include tackling child poverty, transitioning to net zero, growing a stronger economy and improving public services. To those, we have added the actions that we are taking to help people who are struggling with the cost of living.

The funding that I have at my disposal is mainly based on the existing block grant settlements implied by the 2021 United Kingdom spending review and forecasts from the Scottish Fiscal Commission. Those judgments can change over time, in response to the available data and economic outlook, and of course as a result of decisions that the UK Government takes.

For example, the first medium-term financial strategy, back in 2018, set out the expected budget for 2022-23. In reality, that projection was out by around £7 billion. That illustrates the level of volatility that is inherent in the funding outlook and underlines the importance of taking decisions at each annual budget. Inflation will inevitably erode the funding growth that we have assumed in today's MTFs, thereby reducing our spending power.

When the UK spending review in October set out funding for the Scottish budget, inflation was 3.1 per cent. Despite inflation hitting 9 per cent, the UK Government has not updated its spending plans, leaving us with far less funding in real terms. Following a real-terms reduction of 5.2 per cent between last year and this, our real-terms funding is to grow by only 2 per cent across the whole four-year period of the resource spending review, after accounting for the devolution of social security benefits. That is the stark reality, as reflected in the commentary by the Institute for Fiscal Studies and the Fraser of Allander Institute last weekend. However, it is not inevitable; it is the result of a deliberate choice by the UK Government as it sits on its hands.

Although the chancellor has provided welcome, if limited and late, support for households, the chill winds of Tory austerity are blowing when it comes to spending on public services. That lays bare the constraints of the current fiscal framework. Our

budget is largely decided by others and we are denied sufficient borrowing powers, yet we face the same demands for increased spending as Governments with much greater levers do.

Therefore, we must prioritise. We have prioritised spending on health, social security, education and tackling climate change but, by definition, we cannot prioritise everything. After years of growth in the public sector, due to Brexit and the pandemic, we need to reset. We need to focus on how the public sector can reform to become more efficient, giving us space to realise our ambitions for better outcomes.

Reform will therefore focus on digitalisation, maximising revenue through public sector innovation, reform of the public sector estate, reform of the public body landscape, and improving public procurement. The spending review also incorporates continued engagement with trade unions and public sector employers about pay and workforce. I know that inflation is a very real concern for public sector employees, as it is for those in the private sector, and particularly for those on lower incomes.

The UK Government has chosen not to act on public sector pay, meaning that our more progressive approach, with public sector wages on average 7 per cent higher in Scotland than in the rest of the UK, is funded from within our severely limited budget.

We do not intend to take the same approach as that set out by the UK Government, but we do need to reshape and refocus the public sector after the Covid pandemic. The spending review calls upon the whole public sector to look creatively at ways to address that challenge sustainably, while seeking to ensure fair increases.

The proposed reforms are necessary in order to prioritise spending that will make the biggest difference to our objectives on child poverty, net zero, a growing economy and improved public services.

The spending review will fund the Scottish child payment, which will more than double—to £25 per child per week—over the course of this year, with eligibility expanded to under-16s. It will provide for universal free school meals to schoolchildren from primary 1 to primary 5 and the expansion of provision beyond that. It will deliver increased investment in front-line health services by 20 per cent over this session of Parliament, and will increase investment in primary and community care to provide more care for people in a place and in a way that meets their needs.

Capital investment of around £18 billion over the period will fund improvements in Scotland's transport network, the NHS, the public sector

estate and affordable housing. It will also fund the shift to a low-carbon economy, with an additional £500 million being directed to net zero programmes that meet the climate challenge.

The resource spending review will deliver on our commitments to invest in energy efficiency and zero-emissions heating; it will support public transport; it will see record investment in active travel; and it will protect our natural environment. It will also underpin the actions of the national strategy for economic transformation, which will deliver strong, inclusive and greener growth to Scotland's economy, stimulate entrepreneurship, open new markets, increase productivity and develop the skills that we need today and long into the future.

Today, I set out an ambitious but realistic public spending framework for the years ahead. It does not ignore the realities of our financial position; neither does it roll back on our ambitions for change. It balances the need to shift resources so that we achieve the greatest impact for our economy, our environment and our society with the need to continue improving public services as we build back from Covid-19 and respond to the challenging economic and financial outlook for Scotland.

The Presiding Officer: The cabinet secretary will now take questions on the issues raised in her 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 put a question were to press their request-to-speak button now.

Liz Smith (Mid Scotland and Fife) (Con): If ever proof were needed of the Scottish National Party's mismanagement of the Scottish economy, it is today's announcement of a glaring £3.5 billion black hole in the public finances. That comes despite the Scottish Government's having received record payouts from Westminster.

We know only too well that the world economy faces extraordinary pressures, as do hard-pressed families here. However, those families will receive no comfort whatsoever from today's statistics. The financial shortfall that is set out in today's forecast is stark—especially the gaping hole between projected public spending and tax revenues in the next few years. That is plain for all to see, and it is the product of incompetence from an SNP Government that has no idea how to manage public finances—the ferries fiasco being the worst example of that.

I have three questions for the cabinet secretary. First, will she commit to ensuring that Scottish income tax levels are put back on a par with UK levels, so that Scotland is no longer the part of the

UK that pays the highest rates, which threatens jobs and investment?

Secondly, does she agree with Archie Meikle, the chairman of Ashwood Scotland Ltd, who, in today's issue of *The Times*, said that the prospect of a second independence referendum should be taken off the table immediately because it is doing serious damage to Scottish business and trade?

Thirdly, will the cabinet secretary finally admit that the Scottish Government has completely failed to act to address the low productivity, imbalances in the labour market and skills shortages in the Scottish economy that the Scottish Fiscal Commission has been warning about not just today but for years?

Kate Forbes: If ever we needed proof of the Tories' priorities, the day when an investigation by the University of Glasgow confirms that UK Tory austerity is the reason behind stagnating life expectancy across Scotland and the UK is the day to get it. That investigation is the proof that we need of where the Tories will prioritise their spending.

Liz Smith mentioned £3.5 billion. I suggest that she read the resource spending review and the medium-term financial strategy, because the figures that she quoted are well out of date; they go back to December 2021, and are based on forecasts. Before us today is a resource spending review that balances the budget that is available to us with our priorities. It is a budget that, comparing this year with last year, has been cut by 5.2 per cent by her colleagues, and it is a budget that will see growth of only 2 per cent over the next few years.

Liz Smith talks about the constitution. Today, Ernst & Young confirmed that Scotland has outperformed the whole of the UK and the whole of Europe in attracting foreign investment, which is a sign of strength, not weakness, in the Scottish economy.

Although we are celebrating increased foreign investment, we are seeing—under the Tories—the sharpest fall in living standards and the sharpest rise in food prices as a result of their Brexit, and families across the country are struggling. The resource spending review outlines our commitments to tackling child poverty and to our transition to net zero, and it will ensure that we have the resources to help families who are dealing with the cost of living crisis.

Daniel Johnson (Edinburgh Southern) (Lab): We have waited 11 years for a spending review, yet we are getting just 30 minutes of question time and had less than 60 minutes to digest the document. For a Government that seeks to refute accusations of lack of transparency, the cabinet

secretary would do well at least to begin by remarking that we must do better than that.

There are three big problems with the statement that the cabinet secretary provided. The first is the lack of context and insight. For the past three to four decades, Scotland has, typically, experienced higher rates of wage and productivity growth than the UK averages. However, over the past decade, our wage and productivity growth rates have been below the UK averages. That is a problem because of the fiscal framework, which depends on those things for the moneys that the Scottish Government has to spend. That is why there is £200 million less to spend than if income tax had not been devolved. However, there has been no acknowledgement from the cabinet secretary that the Scottish Fiscal Commission's just-published report shows that there will be an income tax deficit next year of £359 million.

Secondly, there is no sense of the Government getting better. Ministerial salaries have doubled and the number of quangos is up by a third in the past decade, and the cost of Government has increased by £2 billion to £4.5 billion. Although the Government proposes to cut economic and enterprise support, it is finding £20 million for another independence referendum.

The final problem is the lack of data. We have waited 11 years, yet there is no detail. Eleven years ago, the spending review went down to levels 3 and 4, which gave us insight into what health boards would have to spend and into the split between university and college spend—

The Presiding Officer: Let us have a question, please, Mr Johnson.

Daniel Johnson: —yet we have none of that, this time.

My questions are as follows. Will the Government come forward with a full and frank economic assessment of why rates of wage and productivity growth here are lagging behind those of the rest of the UK? Will it pledge to cut consultants, communications agencies and non-executive directors before front-line staff, and will it bring forward the detail—at levels 3 and 4, by portfolio—that is lacking in the spending review, so that we have the appropriate clarity?

Kate Forbes: I am happy to answer as many questions as any member has; it is not my job to set the time for how long I speak. I do not know whether the Labour Party asked for the statement to be extended.

I do not need to do any additional analysis of productivity; I can give that to the member now. Between 2007 and 2019, which is the latest year for which figures are available, productivity in Scotland grew by 10.7 per cent, compared to the

latest estimate of 5.2 per cent for the UK. The gap in output in Scotland reduced.

Regarding income tax, it is interesting to hear the Labour Party now advocating a different approach to taxation, when the lowest-paid people in Scotland pay less and the highest-paid people pay more. That is a far more progressive approach than he suggests, and one that has also raised revenue for the public sector.

Mr Johnson mentioned ministerial salaries. I assume that he knows that ministerial salaries have been frozen since 2008, yet—in sharp contrast—public sector workers in Scotland receive, on average, 7 per cent higher wages than those in the rest of the UK.

The Presiding Officer: A great deal of discussion is going on in the chamber [*Interruption.*]

A great deal of discussion is going on in the chamber. I would be grateful if we could hear the cabinet secretary and only the cabinet secretary.

Kate Forbes: Daniel Johnson raises an important point about the need for as much granularity as possible. He will appreciate that, when we published the resource spending review back in December, inflation was forecast to rise to just over 4 per cent. It is currently at 9 per cent and is forecast to rise to 11 per cent. We have to make decisions based on the best available data, while recognising how volatile the situation now is. We have set out the most granular data that we can, with a view to updating it in advance of next year's budget. This is not a budget.

Stephen Kerr (Central Scotland) (Con): On a point of order, Presiding Officer, on 30 March this year, a motion without notice to extend business for up to 30 minutes was agreed to. The business was a ministerial statement on maternity services in Moray and the motion was agreed to on the ground that a number of members still sought to ask questions. In the vein of what has been said, both by the Labour spokesman and by the cabinet secretary, and given members' significant interest in this topic, I propose a similar motion without notice, under rule 8.14.3 of standing orders. [*Interruption.*] Members can shout me down all they like.

The Presiding Officer: Members! I will hear Mr Kerr.

Stephen Kerr: I propose a similar motion without notice under rule 8.14.3 of standing orders, to extend business by up to 30 minutes, or for as long as it takes to get through the remaining questions.

The Presiding Officer: I thank Mr Kerr for his point of order. I note that he referred to a previous incident. No precedent was set by that previous

incident or by the decision that was taken by the chair at that time.

I point out that the time that has been allocated for this item of business was agreed at the Parliamentary Bureau and was voted on by Parliament. At this morning's bureau meeting, there was no call for an extension to the time for this item of business. [*Interruption.*]

Members!

I also point out that it is very important that we protect the time that has been allotted for other important items of business in Parliament today. I am mindful of that need. We have a full speakers list. When questions and responses are concise, we can accommodate more contributions.

Now that we have taken up time debating that matter, I would be grateful if we could move on. I call Liam McArthur.

Liam McArthur (Orkney Islands) (LD): It is barely three weeks since elections in which the SNP and Greens told voters about their commitment to local government. We now see what those promises were worth. The cash for local government is effectively frozen for the remainder of this session of Parliament, which means real-terms cuts to local services. The Government intends to spend countless millions stripping powers from local authorities to create an expensive centralised national care service.

Can the cabinet secretary advise local authorities what the appropriate response would be if the UK Government were to treat the Scottish Government in that way?

Kate Forbes: Liam McArthur is right to draw attention to investment in local government. We have said that one of the primary reasons for the resource spending review is to give local government clarity about spending parameters.

I have already said—I will say it again—that this is not a budget. I can spend only the funding that is allocated to me by the UK Government. In the light of there having been a 5.2 per cent cut between last year and this, and an outlook in which inflation is eating into our spending power, I say that we have treated local government fairly.

It is important to say that the resource spending review will go hand-in-hand with an updated fiscal framework. The member talked about powers; the fiscal framework will see local government being further empowered.

John Mason (Glasgow Shettleston) (SNP): Inflation is clearly very high at 9 per cent and it is not helped, of course, by the Conservatives' actions at Westminster. Can the cabinet secretary go into any more detail about the assumptions that

she is making on inflation over the next four years for both tax revenues and expenditure?

Kate Forbes: That question is hugely important because it demonstrates again the changes and the level of volatility that we are contending with. Our plans are based on the Scottish Fiscal Commission's latest economic forecasts which, like the Office for Budget Responsibility's, see inflation averaging at 8 per cent across 2022-23—double the rate that was forecast at the time of the Scottish budget in December—before falling back to be in line with the Bank of England's 2 per cent forecast in 2024-25.

That is in stark contrast—this is an important point—to the inflation assumptions that the UK Government used to underpin its spending review in October 2021, which makes sense, because things have changed. However, we can spend only what was allocated to us back in October 2021, which does not take into account the significant rise in inflation.

Douglas Lumsden (North East Scotland) (Con): This shameful devolved SNP Government is nothing if not predictable. It presents data that shows that its tax policies are failing and its spending is out of control, with the Scottish Fiscal Commission predicting a funding black hole of £3.5 billion by 2026-27. Once again, however, it attempts to pass the buck of responsibility to the UK Government. With the public finances in such a mess, does the cabinet secretary agree that the £20 million allocated for another divisive independence referendum is a slap in the face for so many hard-working Scots who are having to pay more and get less?

Kate Forbes: I respectfully suggest that any future Conservative speakers base their questions on the facts that are in front of us. They keep quoting figures that were last published in December. Today, I have outlined spending plans that must balance. We cannot have unbalanced spending plans within a devolved arrangement in which I can spend only what is raised.

The other point is that the Conservatives continually defend what their UK Government counterparts have allocated to Scotland. If they have such a concern, might I suggest that they say what they would cut or lobby their UK Government colleagues to increase funding to the Scottish budget?

Rona Mackay (Strathkelvin and Bearsden) (SNP): Today's publications confirm this SNP Scottish Government's priorities: the game-changing Scottish child payment, huge increases for front-line health services, free school meals for young people and money to decarbonise buildings and promote active travel, among many others. However, the cost of living crisis will be at the front

of most people's minds at the moment. Will the cabinet secretary expand on what the Scottish Government is doing to help?

Kate Forbes: We added the response to the cost of living crisis to our priorities in light of the challenges that people are facing. Within our fixed budget, we are investing almost £770 million this year through a package of cost of living measures and social security support that is not available anywhere else in the UK. That includes the Scottish child payment, which will increase to £25 per child per week by the end of this year and which we will extend to under-16s. That means that our five family benefits will be able to provide support of over £10,000 by the time a family's first child turns six, with funding for subsequent children as well.

Paul McLennan (East Lothian) (SNP): It has been estimated that around 90 per cent of the revenue that is raised from the UK Government's energy windfall tax may be set to come from Scotland on account of our substantial energy resources. If that funding was retained in Scotland, the Scottish Government would be in a much stronger position to support people who are facing the brunt of the cost of living crisis.

The Bank of America warned yesterday that the UK has an emerging market currency in all but name. It is warning that investors should hedge for a sterling crisis. That is UK Government management. Does the cabinet secretary agree that far more could be done to build a fairer and more prosperous society with the full powers of independence in Scotland's hands?

Kate Forbes: I agree with that whole-heartedly. It is an irony that it is only thanks to Scotland's huge energy resource that the UK Government is able to respond in this way to its own, Tory-made cost of living crisis. If Scotland was independent, the money raised would deliver more for every Scottish household, but we will get only a small fraction of it under Westminster control. We want to do more to help to tackle the cost of living crisis. We would do more with more powers.

Mark Griffin (Central Scotland) (Lab): The cabinet secretary's claim of a new deal for local government in fact sounds the death knell for local government as we know it. Today's review plans a further £900 million of real-terms cuts by 2026-27, on top of a decade of cuts that has led to libraries closing, roads crumbling and bins overflowing. Does she not accept that there is nothing more to cut in local government—that the grinding down of local services and economies has got us into this mess and will not get us back out of it?

Kate Forbes: I suggest to the member that he joins us in calling for a bigger pot of funding to be shared more equally across all the needs and

priorities that we have identified. Right now, within the funding that we have allocated, which has been cut by 5.2 per cent compared with last year, we have treated local government fairly and have given it as much forward clarity as possible in this resource spending review, which goes hand in hand with the fiscal framework and does not replace annual budgets.

Evelyn Tweed (Stirling) (SNP): I note that the cabinet secretary wrote to the UK Government ahead of last week's statement by the chancellor calling for it to go further in tackling the cost of living crisis. Will she provide further information on what engagement the Scottish Government had with the UK Government in advance of the chancellor's statement, and does she believe that the UK Government acted on her calls?

Kate Forbes: Ahead of last week's statement, I wrote to the chancellor urging him to use the full £30 billion fiscal headroom to introduce a comprehensive funding package to address the cost of living crisis and to provide support to business. Unfortunately, the UK Government did not engage on those points before the announcement and, although I have already welcomed a number of the measures that have been belatedly announced, it is clear that the majority of support will not be received until the autumn. For example, there is very little support for business, which is facing the same spiralling energy prices as domestic households, and, obviously, the statement was very silent on public sector pay. The UK Government still needs to get to grips with those issues.

Jamie Halcro Johnston (Highlands and Islands) (Con): Despite the Scottish Government receiving the biggest block grant in the history of devolution, it has overseen a litany of public spending disasters in recent years—such as £250 million, so far, on rusting hulls in the Clyde while local ferry services collapse; £150 million on a census that may be useless; and the unsold Prestwick airport, which is still a financial albatross. During a period in which, the cabinet secretary accepts, resources will be tight, what will she do to ensure an end to massive cost overruns on public projects, and how will she ensure value for every penny of public money, allowing us to target it to those who are struggling with the cost of living crisis?

Kate Forbes: The package that I set out today includes reform to ensure that we derive value from every penny. Every year, I balance the budget to ensure that we spend every penny that we have at our disposal.

However, I suggest that, right now, what commentators, economists and families are worried about is the cost of living crisis that Jamie Halcro Johnston's colleagues are presiding over—

with inflation at its highest rate eating into our spending power. That will have the biggest impact over the next few years.

Ross Greer (West Scotland) (Green): Despite the challenges that have been created by the UK Government and the financial straitjacket that the Scottish Government is in, this spending review has made available the funds to increase the Scottish child payment and will involve the investment of an additional £1 billion in the transition to net zero. Will the cabinet secretary set out how that will allow Scotland to step up our climate action? Will she acknowledge that that represents the minimum that we need to do and that, across the UK, we need a significant step up in public investment in the transition, on the scale that we see in many European countries, if we are to deliver on our climate targets?

Kate Forbes: Ross Greer is right to draw attention to that. In my statement, I was clear that the reforms that I have set out allow us the space to invest in our objectives and ambitions. One of those is to ensure that we transition to net zero effectively, despite challenging circumstances. The resource spending review and the targeted refresh of the capital spending review protect and enhance our commitment to the twin global climate and nature crises. We are investing in publicly funded infrastructure to enable that transition to net zero by 2045. Over the course of this parliamentary session, we will take forward a number of initiatives, from the heat in buildings strategy through to the nature restoration fund and the public transport network, that will enable that to take place.

Stuart McMillan (Greenock and Inverclyde) (SNP): As we know, work on the review of the fiscal framework is on-going. Can the cabinet secretary provide an update on progress along with any detail on what outcomes the Scottish Government is hoping to see from the review and how those outcomes could affect the management of Scotland's public finances?

Kate Forbes: Together with the UK Government, we have finalised the terms of reference for the independent report, which precedes the fiscal framework review, and we are jointly taking forward the preparatory steps for the report and the review. As I have already noted, the need for the review has been reinforced through the pandemic and now the cost of living crisis. Our current powers are inadequate for us to manage the risk, which is laid bare in the publication that has been published today.

Stephen Kerr (Central Scotland) (Con): Looking beyond the usual whataboutery in this statement, we see that it has only one mention of the word "outcomes". Audit Scotland has repeatedly commented on the complete lack of

measurement of outcomes and the lack of transparency on how money is being spent. What will the cabinet secretary do differently to measure and report outcomes, not just the extraordinary sums of money being spent?

Kate Forbes: That is an extremely important question. Among the reports that are published today, we have the medium-term financial strategy, the resource spending review and the capital spending review, but there needs to be equal interest in our outturn statement and the national performance framework, both of which measure our funding according to the outcomes that they develop.

We have laid out today the approach that we intend to take. It is an ambitious approach that does not shy away from the realities that people are facing, and it is based on wanting to ensure the best outcomes for our people: tackling child poverty and reducing the pressures on families. Alongside updating the national performance framework, the outturn statement, which I think will be published in the next few weeks, allows us to scrutinise the extent to which the money that we spend is delivering the results that we want to see.

The Presiding Officer: That concludes the ministerial statement on investing in Scotland's future.

Tackling Drug Deaths and Drug Harm

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on tackling drug deaths and drug harm.

14:53

Gillian Martin (Aberdeenshire East) (SNP): As the convener of the Health, Social Care and Sport Committee, I welcome the opportunity to open the debate. I apologise that I might not be in the chamber for the closing speeches, but I have let the Presiding Officer know.

When my committee took evidence from the Minister for Drugs Policy last year, it became apparent that a number of key policy levers in this area lie with the United Kingdom Government. As part of our joint scrutiny work, we heard evidence that the Misuse of Drugs Act 1971 is outdated and fails to reflect the public health-led approach that we want to pursue in Scotland. Indeed, a root-and-branch review of the 1971 act was a key recommendation of the Scottish Drug Deaths Taskforce. It is therefore extremely disappointing, in the face of evidence and recommendations from experts in the field, that the UK Government has no plans to review the 1971 act.

Given that mix of devolved and reserved powers, I was pleased that we were able to take evidence from the UK Minister for Crime and Policing, Kit Malthouse. I hoped that he could give us confidence that UK Government levers could be used to work with us, in Scotland, with the aim of reducing drug harm—an aim that everyone across this Parliament shares. However, the session with the minister highlighted quite a fundamental difference in approach between the UK and Scottish Governments. For example, the UK Government is clearly anxious that creating safe consumption facilities, even on a trial basis, might be seen as condoning drug use. However, that is a misunderstanding of the underlying reasons that drive people to take drugs in the first place. Overwhelming evidence underlines a strong link between poverty, deprivation and trauma and a heightened risk of drug addiction. The statistics bear that out. In 2020, people in the most deprived areas of Scotland were 18 times more likely to suffer a drug-related death than those in the least deprived areas. People will not stop taking drugs simply because they are illegal. For people in a desperate situation, a criminal justice-led approach will not help and can, in fact, make things much worse.

Indeed, a recent report from the House of Commons Health and Social Care Committee called for a shift from the current criminal justice

approach to a health approach such as the one that we have in Scotland, and for responsibility for drugs policy to move from the Home Office to the Department of Health and Social Care. That would be very progressive. The provision of safe consumption facilities needs to be considered in that context—first and foremost, as a health intervention. There is strong evidence that, by providing facilities where people can take drugs in a safe and supervised environment, safe consumption rooms can reduce overdoses, drug deaths, blood-borne virus infection rates and public injecting.

During our joint committee, I was encouraged by the UK minister's apparent willingness to consider new evidence of the successful trialling of safe consumption facilities in New York, which has already saved many lives. Unfortunately, Mr Malthouse's more recent comments to the media have been less than encouraging. However, I am hopeful that proposals from Glasgow city health and social care partnership will enable a safe drug consumption facility to be piloted in Glasgow within the current legal constraints.

Giving evidence to the Criminal Justice Committee in November last year, the Lord Advocate acknowledged the scale of the crisis that we face and offered a potentially pragmatic way forward. She indicated that, in the instance of a proposed safe consumption room that was

"precise, detailed, specific and underpinned by evidence"

and supported by Police Scotland, prosecutions might be deemed not to be in the public interest. During the pandemic, the Lord Advocate demonstrated a similarly pragmatic approach by issuing guidance that it would not be in the public interest to prosecute anyone registered with the Scottish Government population health directorate who was supplying naloxone to be administered in an emergency to counteract a drug overdose.

I am hopeful that such pragmatism will help us to navigate the legal constraints that we face and continue to pursue a public health-led approach to tackling drug deaths and drug harm. Clearly, the trialling of safe consumption facilities is only one element of an effective public health-led approach. I agreed with Mr Malthouse, when we took evidence from him, that there is no silver bullet when it comes to tackling drug deaths. However, the committee sees this as a public health issue as opposed to one that is justice focused.

Michael Marra (North East Scotland) (Lab): I wonder whether, in any of the evidence that was gathered by the committee or in the representations that the committee received from the UK Government minister, there was any analysis or evidence of why the number of drug

deaths is almost four times higher in Scotland than it is in the rest of the UK.

Gillian Martin: I am not sure that that would come from the UK Government. In the Health, Social Care and Sport Committee, we have heard that a lot of historical, multigenerational deprivation has led to the situation. The member lives in Dundee and will know that to be the case there. Things that happened decades ago, which took the life-blood out of communities, have led to deprivation and are possibly one of the reasons why we have this situation.

I will talk briefly about our recent inquiry into the health and wellbeing of children and young people. It is important that we address the particular impact of problem drug and alcohol use in families on children and young people. Connected to that is the impact of stigma around drug use by women. We cannot say that someone is not a good mother because they have an issue with drug use. Again, when it comes to women, a criminal justice approach puts more pressure on the family and the children.

I have run out of time, because I took that intervention. I look forward to working collaboratively with other parliamentary committees on our shared goal of identifying a sustainable, long-term path to tackling drug deaths and drug harm in Scotland.

The Deputy Presiding Officer: I call Elena Whitham to speak on behalf of the Social Justice and Social Security Committee.

15:00

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): I thank the convener of the Health, Social Care and Sport Committee for opening this important debate. That committee rightly highlights the point that drug deaths and problem drug use are a public health issue. While there continues to be debate over whether this is a public health or criminal justice issue, we need to keep in mind that it is primarily a social justice issue. Drug deaths do not often occur in more wealthy populations; they are a distressing and wholly avoidable indicator of inequality, deprivation, poverty and trauma.

The Scottish Association of Social Workers told us:

"Poverty is still one of the leading contributing factors for substance use and so a wider focus on tackling poverty and inequality is essential. The impact of poverty, food insecurity, fuel poverty and digital exclusion on Scotland's families and communities is devastating and increases the risk of pushing individuals toward drug use. Harmful drug use is also most damaging to communities already struggling with disadvantage, poverty and marginalisation."

Those are complex, structural problems that are far from unique to Scotland. We need to redouble our efforts to tackle the underlying causes of poverty and inequality—all of us in the Scottish Parliament, across all committees, must commit to that task.

Our joint work across three committees is a great example of widening the focus, but it is not an easy task.

Michael Marra: The member will have heard my intervention on Ms Martin's speech, when she highlighted deprivation in parts of Scotland. There are areas of England that have experienced the same deprivation as areas of Scotland—in some areas, the deprivation is deeper—yet they do not have the levels of drug addiction and drug deaths that we have in Scotland. Has your committee taken any evidence to explore those issues?

Elena Whitham: I thank the member for the intervention. Aside from repeating what Ms Martin has already said, I point to the fact that we have a multifaceted issue with polydrug use that is unique to Scotland, which might explain some of the issues that we face.

If the Social Justice and Social Security Committee does anything, it highlights the complexity of such issues, recognising that the life of every individual in Scotland does not fit into a single remit. As a committee, we have heard that individuals can get trapped in a funnelled web of complex issues that can become ever worse. For someone with little income, just one event—losing a job, taking on caring responsibilities, an increase in fuel costs—can start a downward, often lonely, spiral. For someone who is experiencing multiple, severe and complex disadvantage, the risk of problem substance abuse multiplies.

In our current inquiry on problem debt and low incomes, we are hearing that many families and individuals are in no position to build any financial resilience. They cannot absorb the shock of changes in circumstances, which can also impact hugely on their emotional resilience.

Poverty is a feature not only of unemployment, as those in low-paid, precarious jobs also face significant financial challenges. Many people struggle with their mental health because of debt, and some people with existing mental health problems find it hard to engage with services and support to help them get out of debt. As we have heard, stigma also magnifies these issues. We know that, with not enough to live on now and in the face of the cost of living crisis, some people are at real risk.

We know that the reasons why someone turns to drugs are complex and dependent on many factors. For some, it is youthful experimentation; for others, what might have started as recreational

use will progress into escapism and self-medication—the means to a way out of a hopeless situation when other means seem not to exist.

However, there is a light on the horizon. We are hopeful that the trend that we have seen over the past year, of a decrease in drug-related deaths, will continue—remaining mindful, however, that any such death is one too many. In a personal and work-related capacity, I know just how devastating a loss is and how far the ripples go. That tentative but positive decrease in deaths is the result of specific actions that have been taken to provide holistic support. The housing first approach recognises the social barriers that people face; the impact of the lack of that most fundamental of needs, a safe place to call home; and the need for services to gather around vulnerable people.

Organisations such as Simon Community Scotland, Faces and Voices of Recovery UK, We Are With You and Turning Point Scotland tell us that it is not just about prevention of death and further harm, but about working with people over a long time and at their own pace, providing the support that they need and recognising a sometimes traumatic past.

Turning Point Scotland says that, although the complexity of need was identified as a priority for the task force, no specific recommendations were made. It calls for greater integration and strategic thinking so that work across the system is co-ordinated. It also highlights the positive step that homelessness prevention looks set to become a duty across the public service system, though it emphasises that co-ordination is required across public services to realise the good intentions of policy.

What can prevent that holy grail of co-ordination of services around the needs of individuals, or the no-wrong-door approach for all those who need support? We are made aware daily of the brilliant, innovative and compassionate projects that respond to need. We saw how quickly we could respond to need, particularly homelessness, during the pandemic, and we know that systems can change. The system that creates poverty needs to change.

To conclude, there are different layers to the problem: the immediate joined-up compassionate support that a person needs to prevent them falling further; the actions of public services to ensure that all that they do is co-ordinated, agile and aligned with the third sector, which is crucial in this; and, finally, the need to end the structural unfairness that makes people vulnerable in the first place, which we all have the power to end but which is perhaps the hardest, though the most crucial, thing to achieve.

The Deputy Presiding Officer: I gently remind members who wish to participate in the debate that they should press their request-to-speak button. That includes those who have made an intervention.

15:06

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): It is my pleasure to open the debate on behalf of the Criminal Justice Committee.

Last year, the Criminal Justice Committee heard from people with lived and living experience of problem drug use, who told us that they wanted to see tangible outcomes from the work of the Scottish Drug Deaths Taskforce. I am very grateful to members of the Health, Social Care and Sport Committee, the Social Justice and Social Security Committee and the Criminal Justice Committee for agreeing to collectively consider the implementation of the task force's recommendations.

The written evidence that we received highlighted the wide range of innovative work that has been undertaken in response to the recommendations, but it also identified gaps and barriers to implementation that need to be addressed. Today's debate will be wider in scope, and I will focus on the police service's role in reducing drug deaths and tackling drug harm.

We know that, in the course of their operational duties, police officers frequently engage with people who are impacted by problem drug use. We know that adverse childhood experiences and trauma are risk factors for problematic drug use, so it is vital that initial police contact is trauma informed and trauma responsive. The committee welcomes the fact that training is being delivered to officers that will support them in signposting people to appropriate recovery and treatment services earlier and more effectively, often at a time of increased vulnerability.

Police Scotland, in partnership with Medics Against Violence, has piloted a pathfinder service in Inverness for people with problematic drug use, which refers individuals to support that connects them with organisations that can aid their recovery. Following evaluation, the service is to be expanded, which is a very welcome development. However, that approach will be effective only if treatment and recovery services can meet the demand. The task force recommended that the Scottish Government pursue increased weekend access to treatment and support, but the evidence that we received suggests that out-of-hours treatment and support, especially at weekends, remains a gap in the delivery of a whole-system model of care.

Staying on the theme of collaborative working, and among the many examples that were provided in the written evidence, the committee welcomed Police Scotland's partnership work with the Scottish Drugs Forum, the Scottish Recovery Consortium, Scottish Families Affected by Alcohol and Drugs and the Crown Office and Procurator Fiscal Service to provide training to probationary officers on substance use and the barriers to support and treatment that are caused by associated stigma. The committee also welcomed Police Scotland's work with Scottish universities such as Robert Gordon University to allow a quick turnaround time in drug analysis.

The task force recommended that the distribution of naloxone be maximised. Police Scotland's proactive approach to training officers to administer the naloxone nasal spray to those suspected of a drug overdose has undoubtedly saved lives. However, police officers are rightly concerned about facing investigation and/or prosecution when naloxone has been administered in response to an overdose and the person has subsequently died. That is an important issue that we consider needs to be addressed.

Another area of current focus is the legality of the provision of safe drug consumption rooms. The UK Government is not considering a legislative framework to support their introduction, and it has not devolved powers to the Scottish Government for that purpose. Police Scotland's discussions with the Crown Office and Procurator Fiscal Service have indicated that

"there is the belief that a legal framework may exist to allow those who would operate a Safe Drugs Consumption Facility to do so within current legislative provisions."

However, Police Scotland has stated that, although that may provide a basis on which to operate a facility, it would not address the potential criminality of those with addiction issues attending to use safe consumption rooms while in possession of illegal drugs. I very much hope that that issue can be resolved timeously.

There are many more issues that I would like to cover. However, it is really encouraging—this is endorsed by the committee—to hear about the innovative and collaborative work that is taking place to tackle the complex and multiple issues that contribute to drug deaths and drug harms. The latest data, on suspected drug deaths in 2021, shows a fall of 8 per cent from the previous year. As we know, however, every death is a tragedy; therefore, although that is good news, there is still much more to do. I believe that, by working together in the Parliament, across Government and across the public and third sectors, we can and we will make an important

contribution to tackling drug deaths and drug harms.

15:13

The Minister for Drugs Policy (Angela Constance): Every drug death is a tragedy, and drug deaths leave families, friends and loved ones looking for answers and support. As I always do, I offer to everyone affected by the drug deaths crisis my condolences and my continuing commitment to work across Government, Parliament and beyond to save and improve lives.

I thank the three parliamentary committees for coming together across their portfolios to help to provide insight into what has been done and what should be done to tackle drug deaths and harm. That mirrors the approach of the national mission, which is a whole-systems, holistic approach to providing care and treatment, not judgment, and opportunities for recovery and hope for people who use drugs.

I also extend my thanks to the task force for the quality and breadth of its work, and its commitment to publishing recommendations this summer. Its focus on evidence-based recommendations has helped to shape the priorities for the national mission alongside the advice from other groups, such as the residential rehabilitation working group.

Our national mission represents a significant step forward in tackling drug harms, because it seeks to link crucial evidenced-based drug treatment and recovery and essential health and social care services with the wider personal, social and economic needs of people impacted by drugs, who often find themselves in need of support across a range of services.

We are making better links in health services, especially with alcohol issues and mental health, but the mission also links closely to improvements in community and criminal justice, homelessness and housing, education and many other factors. Making change and improvement across all those areas, together, is what marks out the mission as a rights-based, public health approach.

We are in the second year of the national mission to save and improve lives and we are making the best use of the additional £250 million over the lifetime of the parliamentary session. Our focus is on delivery and implementation on the ground.

The medication-assisted treatment standards demonstrate the public health approach clearly by linking clinical service standards, such as same-day treatment, with standards on psychologically informed and trauma-informed care, as well as standards on advocacy support for housing and

benefits. The MAT standards reinforce a rights-based approach to treatment and emphasise the importance of empowering people to make informed decisions about the types of help that are available to them.

We are working in partnership with local areas to implement, improve and sustain standards across the country, which will ensure that everyone has access to high-quality treatment and recovery services. I will return to Parliament next month, in a few weeks' time, to provide an update on progress with that.

To reinforce the rights-based approach, we will increase the number of publicly funded placements in residential rehabilitation by 300 per cent over the parliamentary session. That work is backed by £100 million in funding.

We have made significant announcements on the establishment of a national family rehabilitation service and two child and mother houses, and on increasing capacity in other residential services. Yesterday, we published evidence on the benefits of rehab in terms of improving health and wellbeing.

We are helping local areas to develop a standardised approach to commissioning residential rehab services and improving the pathways into and from rehab services. That includes better links from prisons.

The mission makes crucial links to the justice system. Now that emergency services are carrying naloxone, lives are being saved from overdoses. The task force helped to shape what is now the world's most extensive distribution network of naloxone. Seeing colleagues in the justice system provide that life-saving intervention is really positive. I add my thanks to Police Scotland for becoming the first force in the world to roll out the carriage of naloxone.

Our justice system as a whole needs to be more treatment orientated and trauma informed, and we are taking forward the task force recommendations on drug law reform that apply to the Scottish Government. As part of our public health approach, I again state my strong support for safer consumption rooms, as the evidence is clear that they save lives. We are leaving no stone unturned to find a way for such facilities to operate in our existing legal framework.

As part of our mission, we are linking with other parts of the Government to tackle problems that are associated with drug harms, such as poverty and homelessness. We are taking a cross-Government approach to tackling poverty, which includes funding through social security to reduce child poverty. People in our most deprived communities are 18 times more likely to die from

drug use than are those in more affluent areas, which is unacceptable.

The Government has published the ending homelessness together action plan and, with the Convention of Scottish Local Authorities, we are consulting on a new duty to prevent homelessness.

Too often, stigma stops people accessing the help that they need, which is why we are taking forward the task force's stigma strategy. At the turn of the year, we ran a media campaign to challenge stigma. We are working on a charter that will encourage organisations to consider best practices to create a stigma-free Scotland.

I have heard repeatedly how stigma and problem drug use can cause untold hardship and trauma to families and loved ones. In December last year, I published a framework on how we will improve holistic support for families. That has been supported by an additional £3.5 million for alcohol and drug partnerships and a fund of £3 million to support vital front-line and third sector services. We will continue to work with local areas to implement that framework across the country.

The national collaborative for people with lived and living experience, which is chaired independently by Professor Alan Miller, will bring forward the vision for integrating human rights into national policy and local service design and delivery. That will be based on internationally recognised human rights, to be included in our forthcoming human rights bill. I have no doubt that the national collaborative will hold us all to account and ensure that people affected by drug use can participate in the decisions that affect them. It will also ask tough questions and demand clear answers.

I thank the committees again for working together. That is a welcome approach and in the spirit of the national mission, which is an all-Scotland, all-Government public health approach to reducing drug deaths and improving lives.

15:20

Sue Webber (Lothian) (Con): Under the Scottish National Party, drug-related deaths have spiralled out of control. It is clear that the SNP's current strategies to help people who are struggling with addiction have failed. There was a record number of deaths in 2020 and the death rate is 3.5 times that of the rest of the UK. It is also higher than in any European country.

That scandal is Scotland's national shame. It goes without saying that every death brought about by the misuse of drugs is a tragedy, not only for the victim but for their family and friends. We

cannot go on like this. Lives are being lost and families are being torn apart.

Gillian Martin: My intervention is about language. I hear Conservatives saying "shame" all the time. Does Sue Webber not think that that is stigmatising language and that we need to get away from such language when we are talking about drugs?

Sue Webber: Personally, I think that it is an absolute shame that people continue to die from drug-related causes in Scotland. I repeat that it is an absolute shame.

The Scottish Conservatives believe that a different approach is needed to help people who suffer from addictions. The SNP Government must listen to front-line experts and back our proposed right to recovery bill, which would guarantee treatment for those most in need. The key principle that underlies our proposed bill is to ensure that everybody who seeks treatment for addiction to drugs and/or alcohol can access the treatment that they require. Individuals must not be refused treatment from drug and alcohol addiction services.

Angela Constance said that she would give our proposed right to recovery bill proper consideration to see whether it will do what is claimed. She has confirmed that she backs the principle that people who suffer from addiction should have a right to treatment and that our proposed bill will be given a fair and sympathetic hearing. That shift in language from the minister is welcome.

The consultation on our proposed bill showed that more than 77 per cent of respondents backed plans to guarantee treatment for those suffering with addiction. The bill was drafted alongside front-line experts, who are overwhelmingly positive about the plans. We all know that no single measure can help to tackle the scandal of Scotland's drug deaths, but a guarantee of being able to access treatment can signal a new approach in that fight.

Annemarie Ward from the charity Faces & Voices of Recovery UK—FAVOR UK—who helped to draft the bill alongside the party, has also welcomed Angela Constance's change of direction towards the proposed legislation. FAVOR Scotland said it had been told privately by some SNP MSPs that they will support the bill.

We have services that are currently inflexible. Addiction and mental health are constantly changing, and services need to adapt to that. Our services need to adapt to the individuals; the individuals should not be adapting to the services.

Stigma has rightly been mentioned. Many people are ashamed to admit to their issues and to

seek the help that they require. We believe that our proposed right to recovery bill will help with that issue, as it will provide everyone with a statutory right to addiction and recovery treatment services.

In September 2021, the Lord Advocate announced that class A drug users could be let off with a recorded police warning. The SNP's effective decriminalisation of class A drugs will mean that thousands get away with drug use. It is estimated that, of the 30,469 crimes of drug possession recorded in 2019-20, 7,000 were for possession of class A drugs.

Angela Constance: With regard to Ms Webber's comments on recorded police warnings, it is appropriate that she recognises that that decision was taken by the independent Lord Advocate, although, of course, the Government is supportive of it. Does she recognise the international evidence, which overwhelmingly states that we need to move towards a public health approach, as opposed to a criminalising approach, which causes more harm than good?

The Deputy Presiding Officer: I can give you your time back, Ms Webber.

Sue Webber: I have recognised that—I mentioned that the Lord Advocate made that announcement.

We are dismayed that a single public health approach is being taken. An element of justice must be involved. We believe that the possession of class A drugs is a serious offence and should not be dealt with through warnings. Rather than making the police's job to combat the supply of drugs more difficult, our focus should be on improving access to rehabilitation and treatment.

Gillian Martin: Will the member take an intervention?

Sue Webber: No, I am carrying on for the moment, thank you.

Disappointingly, the SNP Government has refused to sign up to a UK Government scheme to tackle drug dealing and organised crime. Project ADDER—addiction, diversion, disruption, enforcement and recovery—is a UK-wide initiative with £150 million of investment in England and Wales that is designed to tackle addiction and the supply of illegal substances. Project ADDER helps people with their addictions and assists them access recovery, but it also takes a hard-line stance in targeting the criminality associated with drug gangs.

The UK policing minister called the SNP's decision not to sign up to the scheme "deeply ... alarming and distressing". Scotland's drug deaths are a national crisis, yet the SNP refuses to engage with such schemes. Surely, it should try

anything, especially schemes such as Project ADDER, where there is evidence of their being effective.

We know that the Drug Deaths Taskforce recommended safe drug consumption rooms and that the SNP Government says that it is moving forward with plans to establish such rooms. However, Chief Constable Iain Livingstone said that "stronger evidence" is needed before he could support drug consumption rooms.

The Scottish Conservatives will not oppose the use of drug consumption rooms, but we have serious reservations about their operation. As Chief Constable Iain Livingstone said, we need to proceed with caution. Therefore, although we will not oppose a pilot, if that is the route the Scottish Government is to take, we need to see more evidence on their use.

Drug consumption rooms are not a silver bullet; they will not solve all our problems. However, unlike the SNP Government, we will consider all options to tackle the crisis.

I am looking for leadership and pragmatism from the SNP Government. I would hope that our approach is reciprocated and that the Scottish Government also takes that approach by accepting Project ADDER and our game-changing proposed right to recovery bill. The final bill proposal, which was developed with the help of those with lived experience, was lodged by Douglas Ross yesterday.

Our bill will save lives. It will provide a statutory right to addiction and recovery treatment services, including, but not exclusively, residential rehabilitation. Now that it has successfully passed through the consultation stage, it is time for the SNP Government to throw its weight behind it, so that we can tackle this national scandal once and for all.

15:27

Claire Baker (Mid Scotland and Fife) (Lab): I welcome this afternoon's debate and the work of the three committees. We can all agree that Scotland's drug death figures are unacceptable and shocking. We know that more people die in Scotland from drug overdoses than in other countries across the rest of Europe. Our high rate of drug deaths destroys families and communities, and too often continues a cycle of drug dependency and addiction.

Although our fatality rate is high, we are not alone in facing the challenge. There is evidence of other countries and cities that have changed their approach and turned round the despair and misery that comes from addiction and drug dependency by focusing on harm-reduction measures,

investing in services—not only in addiction services but in mental health and family support services—changing their criminal justice response and tackling isolation and stigma.

With leadership, focus and determination across Government and our public services, we can change our direction in Scotland. Scotland's drug deaths are not our fate; we have the resources and capacity to save lives.

I welcome the approach of the Health, Social Care and Sport Committee, Criminal Justice Committee and Social Justice and Social Security Committee and the opening speeches of the conveners today. Scrutiny of policies and progress is crucial. With two members' bills in the area of drugs policy coming to Parliament, the committees will be responsible for considering proposals on overdose prevention centres and on patient's rights, if those proposals get members' support. There is also the Government's work to scrutinise. Labour will give all proposals a fair hearing.

When I started as Labour's drugs spokesperson a year ago, I recognised the failings of the Scottish Government and its culpability for the spiralling level of fatalities, but I also gave a commitment to be constructive and supportive where we see progress. I recognise the roll-out of naloxone, the investment that is now going into the third sector and the expansion of the recorded police warning scheme. Plans to increase capacity in residential rehabilitation facilities are positive steps but more investment is required to make a more significant impact.

I welcomed the introduction of the MAT standards, which, if effectively implemented, would be transformational. However, I said in response to the statement last week that it gives me no satisfaction to say that the commitment to embed and implement the MAT standards in a year is heading for abject failure.

The Government is now moving the goalposts. It is saying that embedding is different from delivering and that delivery is not a tick-box exercise. None of those caveats was given a year ago, when the First Minister said that the standards would be rapidly implemented. When the minister announced that the standards would be in place by the end of April 2022, I spoke about the challenges in achieving that and the importance of accountability. I called for robust monitoring of implementation and interim reporting on progress, so I await the report in June that will set out progress. I am critical of the failure to react with the speed that is required in an emergency, so I will scrutinise progress and press the Government to make haste.

There are challenges in delivering the MAT standards, but if the Government falls short, lives

will continue to be lost, people will continue to suffer, individuals will disengage with treatment services, jeopardising their health and wellbeing, the high level of non-fatal overdoses will continue, the risk of people catching serious infectious diseases will remain, and the opportunity to rebuild lives will be more limited.

The Scottish Drugs Forum survey from October last year included views of users. One man said:

"I am hearing of guys going to the clinic and being told to come back in 2/3 weeks' time. By that time, you are dead. Two weeks is a long time to an addict, it's more like two years."

Other members will talk about the importance of treatment programmes and rehabilitation beds. Of course, a range of treatments must be on offer, and everyone should have access to treatment that meets their needs. However, full implementation of the MAT standards is crucial for reducing the number of preventable deaths. We are beyond admiring the problem; we need to see action.

Fundamental issues need to be addressed. From speaking to people working in the third sector and in the national health service, I know that more needs to be done to ensure that there is investment in addiction psychology services and that those services are valued. There needs to be greater consistency across the country in the availability of treatment, and the role of primary care needs to be enhanced.

Progress is too slow. Two and a half years ago, the Scottish Government declared that the drug deaths crisis was a public health emergency, but we have not seen the emergency response that is required. Alarm bells are ringing, with the rise in the level of fatalities among women and young people, so urgent action needs to be taken.

According to Audit Scotland, Government ministers have still to develop a drug and alcohol plan that is "clear, transparent and measurable" to tackle the crisis. Very few people are receiving heroin-assisted treatment, and drug-checking facilities are not up and running, although they are now in place in Somerset.

The Mental Welfare Commission recently found that there is a serious lack of drug addiction and mental health support for prisoners. That comes a decade after it raised similar concerns.

Overdose prevention centres have yet to be established. We do not even have a finalised proposal, although, as others have said, the Lord Advocate has indicated an openness to finding a solution.

Drug use among young people is different, but there are still few bespoke services for young

people, and a full response to the rise of street benzos has still not been realised.

We need to recognise that the call for culture change comes at a time when a recent workforce survey of front-line staff in the drugs and alcohol sector showed that many are underresourced, undervalued and under pressure. Demand on services is exceeding availability, with unsustainable workloads leading to mental and physical health issues for front-line workers. The workforce is under pressure and underresourced, which will, in turn, impact on the implementation of the MAT standards and the delivery of treatment.

It is welcome that the committees have taken an interest in the matter, and we have heard today about the evidence that they have taken. I encourage the committees to play their full part in ensuring that we deliver on the national mission to tackle the appalling level of preventable drug deaths in Scotland. The Parliament must not take its eye off the ball.

The Deputy Presiding Officer: I call Beatrice Wishart, who joins us remotely.

15:33

Beatrice Wishart (Shetland Islands) (LD): I, too, thank all three committees and their clerks for the work that they are putting in jointly to examine this vitally important and complex issue.

Before I go any further, it is important that we all pause to reflect on the impact that the drug deaths crisis has had on people in Scotland. As has already been highlighted, there were just over 1,300 drug deaths in 2020 and, for the seventh year in a row, Scotland had the highest rate in Europe. I express my condolences to all those who have been affected by a drug death. Although I know that a debate such as this will not ease the pain of loss, I hope that it provides some reassurance that we are taking the issue seriously.

Scottish Liberal Democrats have long called for all issues and problems surrounding drugs to be viewed through the lens of public health rather than criminal justice. We believe that people who are caught in possession of drugs for personal use should be directed down a path of treatment or education, rather than face a fine or prison time.

By taking a public health approach, we can ensure that people get fast access to support and wraparound services, which can help those at risk of drug-related death as well as their families. That can be done through, for example, safe drug consumption rooms. My party has consistently called for such facilities and I note that Paul Sweeney's recently proposed member's bill seeks to allow them to be created.

My party and I look forward to working constructively with Mr Sweeney on the issue, but it is disappointing that it has taken an Opposition MSP to finally raise such proposals for discussion. However, that seems to be the norm when it comes to the approach of both of Scotland's Governments to tackling the drug deaths crisis.

In 2015 and 2016, the Scottish National Party cut funding for drug and alcohol partnerships by 22 per cent, which hit vital services and caused relationships between service providers and users to collapse. Given how crucial those services are in helping people to get the treatment that they need, there is no doubt that the impact of the decision was devastating.

It is not just the Scottish Government that needs to do more, however—the UK Government's actions on the issue are equally lacking. As the House of Commons Health and Social Care Committee stated in an inquiry report in 2019, there needs to be a shift at UK Government level to a health rather than a justice approach. That view was shared by the Scottish Drugs Death Taskforce in its recommendation that there should be a "root and branch review" of the Misuse of Drugs Act 1971.

Mr Malthouse might, as he did when he gave evidence to the committees, point to the ADDER projects in England and Wales as a sign that the UK Government understands the need for a public health approach. However, there very much seems to continue to be a belief that the issue is a criminal justice one.

I fear that, if the UK Government continues to take that approach, we might never tackle this crisis. Although Douglas Ross's proposed bill on the right to recovery could highlight a shift in Conservative thinking, Scottish Liberal Democrats are still concerned that it might not do enough. However, as I mentioned, we will always work constructively on a cross-party basis to take long-overdue measures to tackle the drug deaths crisis. Given the track records of both of Scotland's Governments on the issue, my party and I believe that it is time for an independent body, such as the World Health Organization, to be brought in.

The issue will not be resolved overnight. Positive steps such as the roll-out of naloxone to Police Scotland are welcome, but there is still much to be done. If we are to tackle the issue, we must change our approach. Providing people with the support that they need through safe drug consumption rooms and stabilisation services, rather than handing them fines or looking to imprison them, will, as I have said repeatedly, save lives. We do not have time to waste.

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

15:37

Karen Adam (Banffshire and Buchan Coast) (SNP): I first recognise everyone who has suffered unduly, mentally or physically, and those who have tragically died because of substance misuse or unsafe drug consumption. Every death that is attributed to unsafe drug consumption is an absolute tragedy for the families who lose their loved ones.

The current level of harm that is being experienced by people who consume drugs calls for radical change in how we tackle the issue. I say that as someone who has experienced friends and loved ones appearing in the drug deaths figures. For decades, successive UK Governments have made a concerted effort to continue their so-called war on drugs, with grave human cost and at huge expense to the legal system, the everyday taxpayer and our society.

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

Karen Adam: I will see how I get on. I will maybe take one at the end.

In dealing with substantive policy, we must of course take a cautious yet research-based approach. We also owe it to all the people living in Scotland to explore all options at our disposal to reduce harm in our society. That is why we must not shy away from creating a national conversation on how to do exactly that.

Change is needed as a matter of urgency. The UK Government needs to give serious consideration to radical reform of drug laws. After its decades-long failed war on drugs, to roll that out without due consideration would be a serious disservice, driven only by ideology rather than proper research and evidence. There are plenty of international examples that evidence that decriminalisation, or legalisation and regulation, can be successful in reducing drug deaths and harm.

There is more than one incentive to explore that potential. For example, organised crime groups would no longer thrive off the proceeds from the illicit drug industry, which are often used to fund other criminal operations such as human trafficking.

Russell Findlay (West Scotland) (Con): Will the member take an intervention?

Karen Adam: Maybe at the end—I will see how I get on.

Drug reform must be about taking a realistic and commonsense approach. We in Scotland are trying to forge a different path from the one being forged by the Government south of the border.

Like other countries with commonsense drug policies, Scotland has taken a public health approach to tackling the issue. Under the guidance of Angela Constance and within the limitations of devolution, this SNP Scottish Government has taken its responsibility on reform seriously by setting out a national mission to improve lives and save lives, committing an additional £250 million over the next five years to increase access to services for people affected by drug addiction and exploring the need for safe consumption rooms for people who use drugs.

It is not just a pity that we do not have the same level of commitment to Scotland from the Government in Westminster; it is an absolute disgrace. It has long been observed by clinicians that social determinants of health tip the scales against people who are addicted to substances in the already daunting quest to recover from any type of addiction. To be clear, the World Health Organization defines the social determinants of health as

“the conditions in which people are born, grow, live, work and age ... These circumstances are shaped by the distribution of money, power and resources at global, national and local levels”.

We already know that the cost of living crisis will do untold harm to just about all of us who have less than those in the UK Government, but, make no mistake, it will also have a wide and long-lasting impact when it comes to health outcomes and substance misuse issues.

To tackle the issue, Scotland needs full and comprehensive powers over drug reform in our Parliament. Perhaps a quicker fix is Scotland gaining its independence—I hear a few groans. Mitigating the worst of bad UK Government policy should be a thing of the past, and its current policy on drugs is inadequate. Stigma and criminalisation suppress the potential for future rehabilitation, harming an individual's employment prospects and often leading to the continuation of generational cycles of poverty and adverse childhood experiences.

Penalties related to drug consumption should not be more damaging to an individual than the consumption of the drug itself. The picture of drug harm in Scotland is different from that south of the border. That is why it is so important that we in Scotland have full powers over our destiny, to ensure that our Government, laws, customs and values are reflective of the people who choose to live here. The UK Government continuing to cling to powers that should be in the remit of the Scottish Parliament is not just ineffective but actually damaging.

Jamie Halcro Johnston (Highlands and Islands) (Con): Will the member take an intervention?

Karen Adam: I am speaking fast so that I have time to take youse in.

However, Scotland is a progressive nation brimming with innovation and confidence in our role in the world. On matters devolved, we are at the forefront of tackling some of the biggest issues in the 21st century. As we look to the future, fantastic work is already under way to make positive change. Perhaps someday soon, with the full powers over our own destiny, Scotland can join other progressive nations that have been able to radically decrease the rate of harm caused by unsafe consumption of illicit substances. Change is needed.

I have 30 seconds to take an intervention.

Jamie Greene: I am quite depressed at the tone of that contribution. I hope that the member will reflect on the language used on a very sensitive subject.

Scotland has a drug death rate that is three-and-a-half times that of the rest of the UK, including areas that suffer from far more deprivation than many parts of Scotland. No member on the Government benches has been willing to admit that, to accept and acknowledge it or even to explain it, which is surely what they should be doing.

The Deputy Presiding Officer: Karen Adam, I can give you the time back.

Karen Adam: I do not know why the member is asking me to reflect on my tone; I think that that was uncalled for. In terms of reflecting on the issues that are bespoke to Scotland, that is exactly why we need powers here. A UK-wide approach is obviously not working for Scotland.

The Deputy Presiding Officer: I can advise members that there is a little time in hand, so any member taking an intervention should get most of the time back.

15:44

Russell Findlay (West Scotland) (Con): Last year, Nicola Sturgeon announced the launch of what she called

“a national mission to end what is currently a national disgrace”.—[*Official Report*, 20 January 2021; c 26.]

She was talking about Scotland’s drug death toll, which has risen every single year under this SNP Government and has doubled during her time as First Minister.

Douglas Ross later challenged the First Minister on why she allowed a drug rehab facility in her Glasgow constituency to close. In a line that caused incredulity at the time, she admitted taking her “eye off the ball”. She did not take her eye off the ball, of course; she knowingly cut addiction

services as the number of drug deaths continued to climb.

Scotland is the drug death capital of Europe. Drugs cause abject misery and despair. It is encouraging that this national disgrace is being treated primarily as a public health issue; I agree that we cannot arrest our way out of the problem, and I cannot think of anyone who puts that forward as a credible solution. However, it would be equally misguided—naive, even—to think that public health measures in isolation are the cure.

Like Sue Webber, I want to talk about project ADDER. ADDER stands for addiction, diversion, disruption, enforcement and, crucially, recovery. Described as a whole-system approach, the project puts a ring of steel around drug-ravaged communities and aggressively targets violent and parasitical gangs, while giving addicts the help and support that they so desperately need.

Gillian Martin: I am interested in the language that has been used. Will Russell Findlay explain what he means by a ring of steel?

Russell Findlay: It is a robust policing approach that prevents a flow of drugs going into such communities, for the benefit of the people who live there.

Given that the number of drug deaths in Scotland is, inexplicably, 3.5 times higher than that of the rest of the UK, it was obvious that the UK Minister for Crime and Policing, Kit Malthouse, wanted to deploy project ADDER here. He identified Dundee as an ideal place for it, but, to his bafflement, the SNP decided to keep the ADDER approach behind Hadrian’s wall. The minister is on the record expressing his disappointment. Many people suspect that the SNP blocked ADDER due to its strategy of taking a different approach to England, just for the sake of being different.

Angela Constance: Mr Findlay might not be aware that the Scottish Government participates in a learning network to monitor project ADDER and that there are diversion and support for recovery aspects of project ADDER that mimic or mirror the national mission. I wonder if he is aware that the UK minister really just wanted to rebadge work that we were already doing in Scotland as project ADDER. There was no serious offer behind it.

The Deputy Presiding Officer: I can give you the time back for the intervention, Russell Findlay.

Russell Findlay: Thank you.

Yes, I was aware of that. That is the first suggestion that I have heard from Angela Constance that this was merely a branding exercise, which I think will come as news to the UK policing minister, too.

This episode raises concerns that, despite Scottish Government rhetoric, it sometimes does not treat the issue as a national mission. Let us take another example—that of drugs in prisons. It is scandalous that so many prisoners go in clean and come out addicted. Far too few get the meaningful help that they need to beat drugs and break the cycle of reoffending.

When prison officers told me that drugs had never been so widespread and that most arrived in drug-soaked mail, I raised it repeatedly with the Government, but for months nothing happened. In that time, prisoners died and overdosed, yet officers' pleas for help were ignored. The Minister for Drugs Policy responded to my calls to ban drug-soaked mail with a bizarre and patronising dismissal. It was only following a mass overdose at a maximum-security prison that the mail was finally stopped. That resulted in a dramatic and immediate reduction in the number of drug incidents and ambulance call-outs. Given Nicola Sturgeon's supposed national mission, why did her Government not listen to prison officers far sooner?

Then there is the issue of firefighters carrying naloxone, which is used to treat opioid overdoses. Three months ago, the First Minister and the drugs minister turned up at Bathgate fire station for a public relations event to make an announcement about that. The only problem is that her Government has not even reached an agreement with firefighters, who have many concerns. I spoke to a Fire Brigades Union official today who does not know of a single firefighter who has volunteered to carry naloxone. If it really is a national mission, the Government needs to put persuasion and partnership before PR.

One respected campaigner, who has already been mentioned, is Annemarie Ward from FAVOR UK, which stands for Faces and Voices of Recovery. Ms Ward agrees that ADDER would certainly benefit Scotland. The charity is led by people who are either living with or have lived through the damage of addiction. They know what they are talking about.

Ms Ward also helped to draft my party's right to recovery bill, which was lodged this week by Douglas Ross. It is simple and compelling legislation that would enshrine in law the right of people with addictions to get the treatment that they need. Glasgow has an estimated 18,000 problem drug users—maybe more—yet it has fewer than 20 rehab beds. No one suggests that the right to recovery alone is the answer to everything, but its merits are clear and I look forward to hearing more from my colleague Dr Sandesh Gulhane. The bill has secured strong public support and I was very pleased with the response from the Minister for Drugs Policy, who

said that it would be given a "fair and sympathetic" hearing.

For the sake of thousands of families suffering from the devastation caused by drugs, let us hope that the Government will work with the Scottish Conservatives and other parties on this. It is time for a real "national mission" to put an end to this "national disgrace".

15:51

Emma Harper (South Scotland) (SNP): I have a long-standing interest in drug policy and the work to reduce the number of drug-related deaths across Scotland—not only as a registered nurse, but as a member of the Health, Social Care and Sport Committee during this session and as a member of the Health and Sport Committee in the previous session of Parliament. I also participated in the joint inquiry into drugs deaths in Scotland, which was carried out by the Scottish Affairs Committee at Westminster and led by Pete Wishart.

I will, in my short contribution, make three points. They will address the evidence-based action that the Scottish Government is taking, using the powers that are available to us to reduce drug-related harm; the importance of continued action to reduce drug-related stigma, which others have mentioned; and the response of the UK Government to the tri-committee inquiry.

First, since the national mission to reduce drugs deaths was announced in 2020, the Scottish Government has taken action to transform our approach to drug policy, within the constraints of the outdated Misuse of Drugs Act 1971. We have changed our approach, and are moving away from one that focuses on criminalisation to one that puts first the health and medical needs of those who are impacted by drugs. In health, that has included roll-out of carrying naloxone to save the lives of people who experience a heroin overdose; development of better outreach services; increased provision of rehabilitation beds; and development of non-fatal-overdose pathways and MAT standards.

Another form of unintended overdose that occurs in Scotland is one in which benzodiazepines—whether illicit or prescribed—are taken and mixed with other substances, including alcohol. It is worth highlighting that those overdoses are a cause of death, especially in rural areas.

Naloxone works only for reversal of opioid overdoses. From my experience as a nurse, I know that there is a reversal agent for benzodiazepines called flumazenil. There can be side effects to use of flumazenil. Can the minister tell us whether any work is being done to pursue a

naloxone-type reversal drug that would apply to use of benzos, especially in rural areas?

In education, the Government is bolstering teaching on drug and alcohol harms, thereby ensuring that children are educated at an early age about drug safety and the harms that addiction causes. By taking forward those and other measures, the Scottish Government is creating a new whole-system approach, and is implementing an integrated person-centred and medical, rather than punitive, approach to tackling drug harm.

I also welcome the work of project MATCH—matching alcoholism treatments to client heterogeneity—which takes a person-centred and client-centred approach to recovery. Harm reduction is also part of recovery, because we must remember that recovery includes relapse as well as support.

I turn specifically to stigma. By addressing stigma and the silence and alienation that it causes, we make it easier for people to seek help. Stigma is not only damaging to an individual's mental health and sense of worth; it also discourages them from coming forward to seek the help that they need.

The media have an important role in addressing stigma. For example, in my South Scotland region, when I put out a press release welcoming drug funding and the progressive approach that is being taken in Scotland and the focus on stigma, a local newspaper used a stereotypical picture of a metal spoon with powder on it, next to a used syringe. The paper has agreed to consider changing the images that it uses in the future. I would welcome other print media also addressing addiction sensitively in order to help to tackle, and possibly eradicate, stigma.

It is welcome that the drug deaths task force has developed a strategy that identifies actions to help to reduce stigma. However, I often hear from constituents and others that an issue with stigma still exists among a minority of health, social care and allied health professional staff.

In a debate in January, the minister agreed to my request that the possibility of an e-learning module on drug stigma be explored—for example on the NHS learning system Turas—for our healthcare professionals, including pharmacists. I ask the minister, when she closes the debate, to give an update on whether that e-learning model to tackle stigma is progressing.

There is strong evidence from other countries that safer drug consumption facilities help to prevent fatal overdoses, and that they encourage people who use drugs to access longer-term help. The European Monitoring Centre for Drugs and Drug Addiction and the Advisory Council on

Misuse of Drugs both support use of drug consumption rooms and have said:

“The effectiveness of drug consumption facilities to reach and stay in contact with highly marginalised target populations has been widely documented.”

Russell Findlay: Can Emma Harper cast some light on when her Government will bring forward detailed plans on what DCRs will look like and where they will be?

Emma Harper: I thank Russell Findlay for that intervention. I am not in the Government, so I cannot speak for it at this time, but I look forward to any plans that it will announce, because I believe that drug consumption rooms that help to support people and prevent overdoses should be introduced in Scotland.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Will Emma Harper take an intervention?

Emma Harper: I will if I have time, Presiding Officer.

The Deputy Presiding Officer: I can give you some of the time back.

Bob Doris: I apologise for using some of Emma Harper's time, but I thank her for taking the intervention.

Is Emma Harper aware that since as recently as 2016 NHS Greater Glasgow and Clyde has had some very detailed plans for what drug consumption rooms would look like? We are not starting from scratch—there is a health-based approach with plans already in place.

Emma Harper: I thank Bob Doris for that update on what is happening in greater Glasgow. My focus is on South Scotland, so I often do not know what is happening in other health boards directly, and we have not got to that yet in the Health, Social Care and Sport Committee.

In recent years, both the UK Parliament's Scottish Affairs Committee and the Health, Social Care and Sport Committee have recommended introduction of such facilities, but they are continually blocked by the UK Government, which refuses to accept the evidence and refuses to devolve control over drug policy to this Parliament.

My final point is that the UK Government's whole approach to drug addiction is summed up well by minister Kit Malthouse, who said at the tri-committee that people who take drugs are “sad” and not bad. Drug users are so much more complicated than that. I believe that what he said was condescending and belittles people who are struggling through harmful use of drugs and alcohol. I am sure that he didnae mean to dehumanise them and to focus on criminality, but we need proper powers to take forward our own

Scottish approach to tackling drug harm—one that is focused on evidence-based practice.

I repeat my call for the UK Government to devolve drugs policy to this Parliament.

15:58

Michael Marra (North East Scotland) (Lab): I welcome the opportunity to contribute to the debate, having followed the committees' discussions on the issue. I will reflect quickly on the debate. I note—I think that the minister will be aware of this—that its tone is in marked contrast to the tone of debates that we have had previously on the subject. Labour members would be very concerned if there was a breakdown in consensus on the scale of the challenge that we face, and on the need for a humble approach by the Government and concerted and reasonable support from the Opposition.

A vacuum has been created in the debate due to the lack of a strategic plan from the Government. We now have proposals from both sides of the chamber on action in the area. If we do not have a strategic approach from the Government, more rancour will result, which will not serve the people of this country well.

The committee discussions were certainly helpful on a very narrow range of issues, but they gave no real strategic insight into why Scotland is the drug deaths capital of the world, with a level of drug deaths that remains almost four times that of the rest of the UK, even though it comes under the same drug laws.

Emma Harper: Will the member take an intervention?

Michael Marra: I will not at the moment. I want to make some progress. I might take an intervention later.

I remain deeply concerned that the Government does not have an evidence-based understanding of why the situation is so horrific. In essence, that is the point that I made to SNP colleagues, to whom I am grateful for allowing my interventions. Gillian Martin cited issues to do with poverty. However, we know that areas of England have higher levels of poverty but nowhere near the level of drug deaths that we have in Scotland.

Polydrug use was cited by Elena Whitham—

Angela Constance rose—

Michael Marra: I will take an intervention in a moment. Polydrug use exists across the UK. It is certainly not on the same level as benzodiazepine use, but it is clearly an issue.

In less than one minute on 13 January, the minister provided Parliament with her personal

analysis of why the situation in Scotland is so much worse. She cited a higher level of drug use, benzodiazepine use, and not enough people being in recovery. However, without an authoritative accompanying evidence base, that is well-qualified speculation. I do not necessarily disagree with the minister that those are serious issues. However, set out alone, in one minute, they are pretty much useless.

On benzodiazepines, my contention is that the withdrawal of Valium scripts and the creation of a wild-west street market for tablets of varying content and potency is the most lethal policy error of the devolution era.

In the debate that I mentioned, the minister stated:

“my opinion as to why we have seen that increase differs from Mr Marra's,”—[*Official Report*, 13 January 2022; c 112.]

yet no alternative analysis has been provided. If the minister wants to make an intervention now, I would appreciate an answer to that.

Angela Constance: In the past, I have made the point to Mr Marra that I am a politician, not a clinician, and I do not prescribe medications. However, it is a fact that, in Scotland, the prevalence of drugs use is double the level south of the border. I think that we agree on the significance of the implications of benzodiazepines and heroin, and I hope that we agree that it is a fact—rather than my opinion—that not enough people are in treatment. That is why all of our national mission, at its core, is about getting more people into treatment that is right for them.

Michael Marra: I appreciate the minister's reiteration of exactly what she said in the previous debate. However, clearly, that is not a coherent analysis that covers the scale of the issue. No evidence—[*Interruption.*]

If the minister will let me go on, I note that no evidence has been presented in any marshalled way against the numbers that she has brought to the chamber, in order to give an analysis of the where, the why, the how and the when. That would be appreciated by all members.

Elena Whitham: Will the member take an intervention?

Michael Marra: No, thank you.

If members had a full understanding—a shared understanding—of why the situation is happening, we could say whether the measures that have been suggested by other members would be appropriate reactions to that situation. Frankly, it is not good enough.

On the associated issue of clinical care, we still await the benzodiazepine harm reduction

guidance. The minister talked about not being a clinician. Draft guidance was published in August 2021, but no follow-up guidance has been published. I have lodged parliamentary questions about that today; it would be good to know when that guidance will arrive.

All this remains a mission without a plan that is visible to Parliament or, crucially, to the public. We should be deeply worried for everyone concerned. We can hope that the Drug Deaths Taskforce report provides an analysis—whenever that is forthcoming—but we will wait and see.

In closing, I mention the Dundee drugs commission, which published its two-year review report on 2 March. Three months on, there has been no response from the partner agencies that are involved, of which the report is particularly critical. There has been no meeting with the commissioners, no report to Dundee City Council and no discussion at the local health board. The report is clear that the critical bodies in the city have failed to grasp the scale of the challenge. Key recommendations from the first report, which was two years ago, have simply not been addressed.

Unsurprisingly, the rebranding of the integrated substance misuse service—which was, itself, a rebranding of a rebranding—as Dundee drug and alcohol recovery service, has done nothing to change the culture or perception that it is a service that is failing clients, families and my city. The closure of Constitution house should have happened years ago, but, at long last, it has been accepted that it should happen by the end of this year.

The next steps cannot be cosmetic change. There must be a wholesale change from the centralised medical model, which must be deconstructed. Relocating is not enough. The Dundee partnership must respond fully to the work that has been done and must accept in full the recommendations that were made for it, including the recommendations from the original report.

Clients deserve services for which hard-pressed staff are proud to work—and in which they can have confidence, be respected and invest in hope.

I say to the minister that, in the absence of a real, published strategy and a plan that we can scrutinise to see whether our proposals meet, the tone of the debate might just get worse.

16:04

Collette Stevenson (East Kilbride) (SNP): Drug-related deaths and drug harms are a public health emergency. The number of people dying from drugs in Scotland is heartbreaking, and the

ripple effect of one person having an addiction can be far reaching.

One of my first speeches after my election was on this topic. I started it by paying tribute to my brother, Brian, who we lost to an overdose in 2002. Brian was at the forefront of my mind again when I was thinking about today's debate and the effect that drugs have on people. He often talked about the monkey that he could not get off his back, no matter what.

Brian lived with me for a while. One of the biggest regrets of my life was asking him to leave because of his chaotic lifestyle. I never saw him alive again. I just wish that there had been the right support mechanisms in place for addicts and their families to cope. If there had, I could be telling a different story today.

My dad chose the song "For a Dancer" by Jackson Browne for Brian's funeral, and I think that the words sum up his lifestyle perfectly. Do not worry; I am not going to sing it.

"I don't remember losing track of you
You were always dancin' in and out of view
I must've thought you'd always be around
Always keeping things real by playing the clown
Now you're nowhere to be found".

Before he died, Brian was living in Hope house in Glasgow and had been off drugs for six weeks. He was doing well, and all the guys there thought that he was brilliant. He was offered a job as a security guard at a festival, which he accepted. Brian and his friend ended up overdosing. Paramedics managed to revive his friend, but, sadly, Brian got that monkey off his back in the worst possible way. He was pronounced dead on arrival at the hospital.

Since then, some things have changed. In 2011, Scotland was the first country in the world to introduce a national naloxone programme, which has empowered individuals, families, friends and communities to reverse an opiate overdose. Since then, roll-out has increased dramatically, from police officers and paramedics, to the take-home kits that are given to individuals who are at risk of overdose and to their relatives.

Had naloxone been so widely available back in 2002, Brian could be alive today. My speech could have been focused on my lived experience as the sister of someone who had survived an overdose, had managed to get that monkey off his back, and was living a happy life, there to see his daughter grow up and to be the amazing uncle that he could have been.

Like many others whom I have spoken to, I hope that sharing my experience shines a light on how we might tackle the drug crisis, and on the importance of putting in place the right support for people who take drugs and their loved ones.

I encourage anyone who is watching to visit stopthedeaths.com and to order naloxone. It could save a life.

Of course, although naloxone is a vital tool, we must accept that there are many opportunities to help a person before it comes to administering it. At the heart of the national mission to save and improve lives is getting people into the treatment and recovery that is right for them.

One aspect is residential rehabilitation, which the Scottish Government recently reviewed. More can be done on that, but I welcome the action that has been taken to date to improve access to, and to boost the use of, publicly funded residential rehabilitation.

Another very welcome development is the MAT standards, which will ensure that people can get help on the day that they ask for it. That is so vital for addictions.

Any approach to tackling drug harms must accept that a range of possible interventions is required. We need treatments to be available through the NHS, whether that is heroin-assisted treatment, opioid substitutes, detox or residential options. We need interventions in the community, such as peer support workers. We need access to advice for housing, social security, employment and training.

I recently visited the Wise Group and learned a lot about its work. That work—from signposting, to mentoring schemes, to support for getting back in touch with relatives—benefits people who have experience of substance misuse. Relationships and family are a crucial part of the recovery process for many people, so that kind of wraparound support is extremely important.

More generally, we should be cautious about thinking that there is a one-size-fits-all solution. Residential treatment might be great for one person but, for another, taking one drug instead of many would be a success. Given that polydrug use is now the leading cause of drug-related deaths in Scotland, if we are serious about tackling the drug deaths emergency and drug-related harms, we must accept that complexity.

We must also realise that tackling deprivation is key to reducing the adverse impacts on individuals and communities. Tory policies in the 80s and today have driven inequality, which is associated with drug use and addictions.

I fully appreciate that the number of people dying from drugs in Scotland is not just a number. Each and every person is a mum, dad, brother, sister, son, daughter or friend who had their own hopes and dreams. It is essential that we facilitate recovery and improve treatment options and access to healthcare. Same-day treatment will

make a big difference, and we need to continue the work to remove stigma and support families.

16:11

Gillian Mackay (Central Scotland) (Green): As I begin this speech, my thoughts are with everyone who has lost a loved one to a drug overdose. I pay tribute to Collette Stevenson for her powerful speech.

When we have these debates, we often focus on policy and reform, but it is important that we also take time to reflect on the lives lost and the terrible pain felt by those who have been bereaved. For too long, our criminal justice system and drug treatment services have robbed people of the dignity that they deserve. Our focus must be on restoring that dignity while preventing further deaths. The Misuse of Drugs Act 1971 is outdated and obsolete, and it further erodes the dignity and safety of people who use drugs. In its 2021 report on drug law reform, the Scottish Drug Deaths Taskforce stated that it was

“unequivocal that the Act in its current form creates barriers to the implementation of a public health approach.”

When the case for reform was put to the Minister of State for Crime and Policing at the joint committee meeting, however, it was clear that he did not have a good grasp of either the situation in Scotland or the root causes of drug use. When asked whether he recognised that poverty was an underlying cause of drug use that needed to be tackled, he answered no and said that he believed that drugs and violence drive poverty.

I have spoken before in the chamber about the fact that Scotland’s drug deaths crisis can be traced back to 1980s deindustrialisation and the subsequent economic and social impact. According to the Royal College of Physicians of Edinburgh, some of those experiencing the highest levels of drug deaths and drug-related harms grew up in the post-industrial 1980s, when unemployment levels were high and the heroin market expanded into deprived communities. That group suffers multiple, complex disadvantages, including poor physical and mental health, unemployment, unstable housing arrangements, involvement with the criminal justice system and family breakdown.

The UK Government is so far behind in this conversation, it should worry us all. How can we hope to tackle the crisis effectively when UK ministers are espousing such ill-informed views, which further stigmatise people who use drugs? Kit Malthouse refused to entertain the prospect of drug-checking facilities here in Scotland. As we heard in the chamber last week, there are now plans, and a licence issued by the Home Office, to operate a facility in Bristol. Such services can save

lives. I wish the Loop, which will operate the facility, the very best. I hope that it will have incredible success and, hopefully, once and for all, provide evidence that the UK Government will listen to. It is nonsensical and hypocritical to rule out drug-checking services in Scotland and allow them in England. We need those powers to save lives.

The varying purity and strength of illicit drugs makes it impossible—

Michael Marra: It is my understanding that no application for a licence has been made so far in Scotland, but I would greatly welcome drug-checking services. Would the member, and the Government of which her party is a member, agree that a pilot, if it is forthcoming, must be funded appropriately, with staff costs and the right equipment required to make such facilities work?

Gillian Mackay: I was reflecting on the questions that we had asked Kit Malthouse. One of the questions that we put to him was whether the UK Government would back drug-checking facilities in Scotland; the answer was no. If it is something that we were able to introduce, I would be more than happy to chat to the member about all the measures that he has just mentioned.

Safe consumption rooms are another life-saving intervention, and they must be allowed to operate in Scotland. Mr Malthouse said that he needed more evidence on safe consumption rooms. Considering that they have been operating in Europe for around three decades and have proved effective in a range of countries from around the world, including Australia, Canada, Spain, Switzerland and the Netherlands, I am not sure what further evidence he requires. Those facilities could be saving lives now.

I found the minister's focus on enforcement particularly disturbing. In Scotland, there is a general consensus that a public health approach is needed to solve the crisis. It is clear that the UK Government does not share that view but instead sees it as a criminal justice matter, despite all the harm and stigmatisation that the war on drugs has caused.

I was also disappointed by the minister's use of stigmatising language, which I will not repeat. We do people a disservice when we label them. It robs them of their dignity and humanity and it others them. If we want treatment services built around human rights, we must dispense with such language and speak about people as if they are human beings deserving of our respect and compassion.

We need a person-centred system that views people as whole beings, rather than various conditions that need to be categorised and dealt with separately. Above all, we must seek to reduce

and prevent harm wherever possible. We must maximise every opportunity to connect people with services. The more we embed stigma-free treatment and life-saving interventions in the community, the greater the chances of connecting with those who need the help the most. For example, I was pleased to see the roll-out of naloxone to some taxi drivers in Edinburgh, which will surely result in more lives being saved. I applaud all those in the scheme, which has also been implemented in Glasgow. I hope to see it being implemented in more of our cities and towns.

The Scottish Greens also support the roll-out of heroin-assisted treatment across Scotland. According to NHS Greater Glasgow and Clyde, there is high-quality evidence to suggest that HAT can improve individual and societal outcomes when provided as a second-line treatment for people with chronic opioid dependency. It is yet another area where meaningful progress is being blocked. Stakeholders have reported to the Drug Deaths Taskforce that the process for submitting an application for a licence for HAT is overly complicated and resource intensive. The ability to offer HAT alongside other medication-assisted treatment should be more widespread, and any remaining barriers to the provision should be removed.

Despite the fact that HAT is a well-evidenced intervention, with clear health and social benefits, roll-out has been hindered by an overly bureaucratic process. I have heard the Minister for Drug Policy say on more than one occasion that we need to turn expressions of interest from health boards into commitments. At the moment, health boards must apply to the Home Office and the Scottish Government and could be approved by one and rejected by the other. That may discourage some boards from applying.

It is vital that HAT licensing is devolved to Scotland in order to reduce the administrative burden and to facilitate its roll-out across Scotland.

16:18

Paul McLennan (East Lothian) (SNP): I thank the committee conveners and other members for their speeches in today's debate. The fact that it is a joint debate demonstrates the impact that drugs misuse has on many aspects of everyday life in Scotland. I am very glad that we are spending sufficient time to discuss the issue today.

Although I am now a member of the Social Justice and Social Security Committee, I was not a member at the time of the joint session with the Criminal Justice Committee and the Health, Social Care and Sport Committee, which was held on 1

February. However, when I read the *Official Report*, a few things stood out.

In her question to Kit Malthouse, the UK Minister of State for Crime and Policing, Elena Whitham asked about the link with poverty. A few members have raised that issue today. She stated there are very strong links between poverty, deprivation, adverse childhood experiences and trauma, and drug deaths, especially here in Scotland. She said:

“We all know that it is a very complex and multifaceted issue to address. Would you agree with the opinion that Scotland’s higher rate of drug deaths reflects historical patterns resulting from economic policies of the 1980s, which we can also see in the north-east of England?”

She also asked about whether anti-poverty measures taken by Scottish Government would have an impact. On the link with poverty, Kit Malthouse stated:

“I would be careful about the difference between correlation and causation”.

Earlier today, we heard about the study by researchers from the University of Glasgow that found that austerity was the most likely reason why life expectancy stagnated after 2012 and death rates in the poorest areas increased. It is clear that there is a link.

Kit Malthouse also stated:

“over the years, there have been lots of attempts to deal with the underlying problems of poverty and deprivation, in the hope that doing so would deal with the violence and drugs that were perceived at the time to be the product of those problems.”

It is clear that the UK Government needs to do more to tackle poverty. I still think that the UK Government sees this as a criminal rather than predominantly a health issue.

During the joint committee meeting, Elena Whitham stated that the cohort of people among whom we are seeing the most drug deaths, as well as multiple deprivation and problematic drug use, are people who were born in the 1970s. In his reply, Kit Malthouse stated:

“The police could play an enormous role in assisting health professionals and those who can give counselling, emotional support and everything else that is required to turn someone around from drugs by ensuring that there are fewer drug dealers and less drugs in Scotland.”—[*Official Report, Criminal Justice Committee, Health, Social Care and Sport Committee, and Social Justice and Social Security Committee (Joint Meeting)*, 1 February 2022; c 15, 17.]

A focus on poverty as a contributing factor in drug deaths is part of the national drugs mission, and understanding that it is predominantly a health issue is fundamentally important.

The second aspect that I want to touch on is drug consumption rooms. Gillian Martin, Gillian Mackay, and Pauline McNeill all pressed Kit

Malthouse on the issue. As we know, many experts, people with lived experience and committees such as the Scottish Affairs Committee at Westminster have recommended the introduction of such rooms, because of the contribution that they could make to reducing drug deaths in the UK.

In relation to drug consumption rooms, Gillian Mackay said:

“There are at least 39 sites in Canada, there are peer-reviewed articles from Portugal and there is an evidence base in San Francisco, Seattle, Boston, Vermont, Delaware and Portland, Oregon.”

Pauline McNeill pointed out that there are 66 cities throughout the world with consumption rooms and that

“300 health professionals in England and Wales signed a letter after the Health and Social Care Committee at Westminster called for the introduction of drug consumption rooms.”—[*Official Report, Criminal Justice Committee, Health, Social Care and Sport Committee, and Social Justice and Social Security Committee (Joint Meeting)*, 1 February 2022; c 7, 8.]

The case for the UK Government to change its position is strong and compelling.

In its report on drug consumption rooms, the Royal College of Physicians of Edinburgh stated:

“Safe drug consumption facilities have been operating in Europe for around three decades and offer opportunities to reduce ‘...the acute risks of disease transmission through unhygienic injecting, prevent drug-related overdose deaths and connect high-risk drug users with addiction treatment and other health and social services.”

The report further stated that evidence from the European Monitoring Centre for Drugs and Drug Addiction highlights that

“such facilities also help to reduce both drug use in public places, and the prevalence of discarded needles.”

The report also stated:

“Drug consumption rooms have proved effective in a range of countries including Australia, Canada, Spain, Switzerland, The Netherlands and others—and the evidence indicates that such facilities do not increase drug use, nor do they increase the frequency of injecting. The College would, therefore, recommend that drug consumption rooms can, if implemented well, provide PWUD in Scotland with an environment to take drugs using safe equipment, with expertly trained staff to support their emotional and physical health needs.”

Russell Findlay: Will the member take an intervention?

Paul McLennan: Do I have time, Presiding Officer?

The Deputy Presiding Officer: For a brief intervention. There is a bit of time, but not much will be added on.

Russell Findlay: What is the member’s view on the chief constable of Police Scotland asking for

greater evidence before we support drug consumption rooms?

Paul McLennan: The evidence that I have presented is clear and compelling, as I just said.

I want to touch on a few other issues that the RCPE raised in its report. It stated that optimising the use of medication-assisted treatment can mitigate opioid use disorder, and we have heard that in the debate already. The new standards of MAT will ensure that the necessary range of support is available wherever people live in Scotland to reduce harm and promote recovery.

The task force has identified as a priority getting more people on to MAT in a timely manner and supporting them in treatment for as long as they need. The RCPE supports the MAT standards, and continued focus on the area is key.

The other issue that I want to touch on is rehabilitation beds. People in services have better protection from drug deaths—that is a fact. One hundred million pounds of the £250 million of additional investment will support further investment in, and expansion of, residential rehabilitation and associated aftercare.

We need to develop sustainable capacity in regional centres across the country, and that work will be inclusive of different models of care. Different funding models can play a significant role in determining the availability of rehabilitation services locally and across the country. Getting people into the treatment and recovery that is right for them at the right time is at the core of our national mission.

In conclusion, the debate has been a good debate on what we all know is a complex issue. There is much agreement, but there are still areas where we disagree. At times, the tone has not been helpful. Progress is being made; let us make sure that we work together to continue progress and support individuals, families, communities in Scotland, who we were elected to serve.

16:24

Sandesh Gulhane (Glasgow) (Con): Patricia knows only too well how Scotland's SNP Government is failing families who have loved ones struggling with addiction. Patricia's son is 47. He has a drug addiction, and he has been on methadone for years. He wants to be free. He describes methadone as being like "liquid handcuffs". It is as if he is shackled to the chemist, and he fears that he will remain so for the rest of his days. That is because support for recovery and rehabilitation is thin on the ground.

For recovery to work, of course, those with addictions must want to change. However, to do so and to take responsibility for their own

recovery, they need long-term support and supervision from professionals who believe in them. Recovery is a long, bumpy and winding road. People with addictions who try hard to get their lives back on track often suffer daily with headaches, nervous symptom disorders and disorientation. It is important that we have their backs and are there for them in the long run.

Patricia explains that that is simply not happening. Furthermore, from her experience, there is far too much red tape to get through to access services in the first place. When mistakes occur, such as a service having failed to communicate an appointment, guess who gets the blame for not attending.

Dentistry is an important part of the recovery process, not only for repairing extensive tooth decay and treating gum disease. Poor dental health is a stigma associated with drug addiction. It influences how people see addicts and how addicts see themselves. Dental interventions can change self-image for the better, and that is important for wellbeing and recovery.

Patricia wrote to me again on Friday. She is pleading for access to a safe and well-supported rehabilitation unit—a caring service that will help her son off his dependency on methadone so that he can have, as she says, a life worth living. Her son is a 6 foot man who weighs just 9 stone. He is crying out for just one right in life: a right to recovery.

We are not seeing anywhere near enough progress to advance the rehabilitation and treatment of addiction in Scotland. Addiction is ruining countless lives. Families are being torn apart and, over the past decade, thousands have died directly from drug-related causes. More than 1,300 people died in 2020 alone. There were five times as many drug-related deaths in 2020 as there were in 2000. Scotland's drug rate is three and a half times that of the UK as a whole. That is a scandal. It is Scotland's national shame—no, it is our Parliament's shame. It is a failure of Government.

I believe that, across the chamber, we agree that the current strategies do not work. The Scottish Conservatives support a public health approach to substance use. We need to have a right to treatment and on-going support to turn lives around. We need to care and encourage people right through their recovery journey. That is why we feel so strongly about our right to addiction recovery bill. The key underlying principle is to ensure that everyone who seeks treatment for drugs or alcohol addiction is able to access the necessary addiction treatment that they require. That would be a clear, binding commitment to families and communities throughout the country.

It would be an unambiguous promise enshrined in law.

The consultation on our proposals showed an overwhelmingly positive response, with 77 per cent of people supportive of them. That included organisations with hard experience of working with sufferers of addiction, including Faces & Voices of Recovery, Sisco, the Scottish Tenants Organisation, Recovery Enterprises Scotland and the Church of Scotland. I am pleased that the Minister for Drugs Policy has signalled a move towards Scottish Government support for our proposals, and I hope that we can speedily work together across Parliament to ensure that a right to recovery is put into law as soon as possible.

Of course details are important, but so is delivery. In order to deliver the right to recovery bill, there is an obligation on NHS health boards, the Scottish ministers and others to provide treatment and set up reporting arrangements so that the quality of, and the access to, the treatment provided can be monitored and reported to the Scottish Parliament, because the Scottish Parliament needs to see the data. If we do not measure it, we cannot improve it.

The addiction and recovery treatment services would include community-based short-term and long-term residential rehabilitation, community-based and residential detox, stabilisation services and substitute prescribing services. Individuals could access a preferred treatment option, unless it is deemed to be harmful by a medical professional.

Our right to addiction recovery bill would also prevent individuals from being refused access to treatment because they had a criminal history that involves substance abuse or a mental health assessment or because they were in receipt of substitute prescribing services or were still using alcohol and drugs. If someone wants support, they should get it.

I believe that all of us in the chamber are horrified by the rising toll of addiction-related deaths and by how addiction has spiralled out of control—it is tearing families apart and blighting communities. The problem is huge for Scotland, and it is complex. Tackling it head on requires co-ordinated action to include support for recovery, reducing demand and restricting supply.

It is worth noting that co-ordination among the four nations on tackling drug dealing and organised crime is important. We heard in February that police in Kent raided a manufacturing facility and seized 27 million street benzodiazepine tablets that were bound for Glasgow. Just as we do not want Scotland to be seen as a safe place for criminals to do business

in, we need to work with partners across the UK to damage the source of their supplies.

The thrust of my speech is about supporting people who want to kick their addiction. We should strive to ensure that no one falls through the gaps and that no stigma is attached to addiction.

The Deputy Presiding Officer: Dr Gulhane, could you please bring your remarks to a close? Thank you.

Sandesh Gulhane: We need to commit to long-term support, and local areas that have the highest level of need must receive the most support. Our right to addiction recovery bill is the way forward. I refer members to my registered interest as a practising NHS general practitioner.

16:31

Katy Clark (West Scotland) (Lab): I welcome the opportunity to speak in the debate. As a member of the Criminal Justice Committee, I welcome the commitment to a public health approach, as it is clear that the criminal justice-led approach has not worked. It has not prevented the rise of problematic drug use or turned round the lives of those with drug abuse problems.

I think that we all know that drug abuse is a major problem in many of our communities. It is a major problem for our criminal justice system, and it has become a massive problem in our prisons, where drugs are readily available and where many prisoners take drugs for the first time. Many offences are committed while individuals are under the influence of drugs, and many offences are associated with serious drug abuse.

There were 1,339 drug-related deaths in 2020. As a number of members have said, there is no doubt that there is a direct link to poverty, trauma and deprivation.

Scotland has a problem with high-risk patterns of drug use, and we need to look at how that compares with elsewhere. The number of drug-related deaths has been increasing since 1996 and has increased substantially in the past 20 years, when the average age for a drug-related death has increased from 32 to 43. People who live in the most deprived areas are 18 times more likely to have a drug-related death than those who live in the least deprived areas, although the likelihood has been only 10 times greater in the 2020s. We also know that more than one drug is present in a person's body in 93 per cent of deaths.

We need to be aware of all those factors when we look at how we tackle the problem. More than 10,000 people have lost their lives to drugs since 2007. The crisis is complex, and we need bold action to reduce drug-related harms. We need a

holistic approach that is grounded in public health. We also need to recognise the problem of those who are living with addiction being exploited by criminal gangs. The drugs trade has links with organised crime.

The cuts to council services and to alcohol and drug services, which Claire Baker spoke about, and the underfunding of public services more generally are an important factor. Levels of inequality are rising, and the gap between rich and poor in our society is growing.

Last year, the Scottish Ambulance Service attended 2,500 incidents in which street benzos were involved. More than 1,000 of those were overdose incidents. As has been said, we know that the problems are becoming greater for women, in particular, which is an aspect that we need to consider very seriously.

We know that there are no silver bullets, but there is strong evidence that drug consumption rooms and safer drug consumption facilities are effective. They are not a new idea—the idea has been around for many decades—but there has been disagreement over many years as to whether the practice is compliant with the misuse of drugs legislation.

Earlier in the parliamentary session, the Criminal Justice Committee heard evidence from the Lord Advocate that she believed that there might be a possible legal route, or a public interest ground, for providing drug consumption rooms in the public sector. She indicated that she would consider a new proposal on public interest grounds provided that it was

“precise, detailed and specific, underpinned by evidence and supported by those who would be responsible for policing such a facility”—[*Official Report, Criminal Justice Committee*, 3 November 2021; c 20.]

The Scottish Affairs Select Committee highlighted in its evidence work by the Advisory Council on the Misuse of Drugs that said that no overdose deaths had occurred in such facilities as at 2016. I hope that the Scottish Government is considering what can be done to address the specific issues that the Lord Advocate raised in relation to drug consumption rooms, which Paul Sweeney seeks to introduce in his proposed drug death prevention bill, to ensure that we can consider how to provide a legal framework in the public sector for drug consumption rooms. That is only one small part of a complex and challenging issue for the Government and all of us, but I hope that it is one aspect on which we can quickly see movement from the Scottish Government.

16:37

Stuart McMillan (Greenock and Inverclyde) (SNP): I remind members that I am a board

member of the addiction recovery service Moving On (Inverclyde).

This joint debate by three committees of the Parliament provides an example of the type of joined-up working that is required. I agree with Elena Whitham that every committee in the Parliament has a role to play.

The debate is of particular importance to me due to the sobering figures that I read when the drug death figures are published each year. Inverclyde is normally one of the areas with the highest numbers of drug-related deaths per head of population. In 2020, 33 constituents—28 men and five women—died. Of those people, 63 per cent were in the 35 to 54 age category. That is my age group.

Last night, I was reminded of how my age group can be caught up in drugs misuse. After a meeting that I attended, I was informed of a school friend who, sadly, has been involved with heroin for some time. Growing up in Port Glasgow with declining traditional employment opportunities will certainly be part of the reason why some people become involved in drugs. I have spoken about that in the chamber previously. That is where deprivation, which was touched on by earlier speakers and in Michael Marra’s intervention on Elena Whitham, is relevant.

The report that has been published today by the University of Glasgow and the Glasgow Centre for Population Health suggests that people are dying younger as a result of UK Government austerity. That certainly will not help the situation that we face as a society. The report states:

“there is evidence of the effects of UK Government ‘austerity’ measures ... Their impact is seen as two-fold: reducing levels of important services such as addictions, housing, mental health, welfare rights etc.; and cutting individual incomes by reductions in social security payments, leading to further drug use as a ‘coping mechanism’.”

There are many areas of society that we all can and must do more to improve, but we cannot do anything once someone has passed. They leave behind parents, children and friends who have to live with that loss forever.

We must and can do more. That is why I welcomed the First Minister’s announcement in January 2021 of a new national mission to reduce drug-related deaths and harms. I also welcome the fact that that will be supported by an additional £250 million of funding over this parliamentary session, which will go towards improving and increasing services for people who are affected by drug addiction. The aim of the national mission is

“to save and improve lives through”,

for example,

“fast and appropriate access to treatment and support through all services”

and

“improved frontline drugs services (including third sector)”, which is an issue that I and others have touched on in the chamber before.

Last week, I met the head of the Inverclyde alcohol and drug recovery service. In recent years, the local ADRS has changed its strategy by bringing together the alcohol team and the drug team—previously, they had operated independently. In March 2020, a paper to the Inverclyde integration joint board highlighted:

“The review of alcohol and drug service provision within Inverclyde is nearing completion with an aim to develop a cohesive and fully integrated whole system approach for services users affected by alcohol and drug issues ... Inverclyde historically has not had a well-developed recovery community, therefore developing more robust recovery opportunities has been identified as an area of required focus and attention. Work has commenced with a Recovery Strategy being developed”.

I welcome those local changes. I am aware that a more cohesive partnership approach is being taken that just has not happened before.

All parties across the chamber will agree that we need to listen more to the needs and experiences of those who have lived with an addiction and to their families and friends. Too often, those with an addiction also suffer from mental health issues, which can cause issues with housing and finances and put pressure on family dynamics. That can then lead to the person’s life being difficult to manage, and they fall away from treatment services.

The Scottish Government has highlighted the need to address high “did not attend” rates, as we know that a high proportion of people who have died from drug-related causes never had contact with a drug treatment service. To help to achieve that aim, the Scottish Government is providing £3 million a year to local services through alcohol and drug partnerships to increase outreach to people who need support.

The Scottish Government is also increasing the capacity of statutory funded residential rehabilitation placements by 300 per cent by the end of 2026, when at least 1,000 people’s placements will be publicly funded.

Safe drug consumption rooms and naloxone have been spoken about. I welcome the naloxone roll-out programme—I bought into that at the very outset—but it has taken me longer to accept the need to establish safe drug consumption rooms. The marketing campaign to raise awareness of naloxone and the signs of overdose will, I am sure, prove to be very beneficial in the long term. As I said, the need for safe consumption rooms took

me a lot longer to accept. However, it is a fact that they work and that they save lives. If all parties want to save lives, every single thing must be on the table for consideration.

I thank the minister and the Scottish Government for investing £400,000 in the Jericho Society in my constituency. The society runs two residential units in Greenock, one of which is for men while the other is for women. It also received £78,000 from the Government last year, which allowed the society to increase staff hours in the women’s house by 50 hours.

One size does not fit all. I genuinely believe that debating the issue and getting all parties in the Parliament to agree on the actions to be taken across society is the only way in which we can make the needed changes and save lives.

The Deputy Presiding Officer: We now move to closing speeches. I call Pauline McNeill, who has up to six minutes.

16:43

Pauline McNeill (Glasgow) (Lab): It is important that the Scottish Government as a whole acknowledges that it has failed to tackle Scotland’s outrageous and tragic level of drug deaths, so that we can assess our approach to this scandalous state of affairs, which has dire human consequences, as Stuart McMillan just outlined in his useful and important contribution.

However, as Michael Marra and others said, we still have no answer as to why Scotland in particular has such high figures—as Claire Baker said, they are the worst in Europe. She also said that we are not alone in facing this challenge, but it is important that we keep on trying to get an answer to that question; otherwise we will not be sure that we are heading in the right direction.

As Claire Baker said, the Government is already being slow in meeting its commitments on MAT standards. It is therefore all the more important that Opposition parties work with it, as we have all committed to do, but also push it to deliver on what it has promised, especially in relation to treatment programmes and MAT standards.

I do not envy Angela Constance in her ministerial job, and she has my full support in her endeavours. I welcome the commitment that she has made to increase the number of drug treatment facilities by 300 per cent by the end of the parliamentary session, but I must interrogate that commitment. It will be meaningless unless reports can tell us what that looks like in a year, in two years and in the year after that. We need to see what progress we will make in the preceding years.

There have been some excellent contributions. Gillian Martin was the first of many members to point out the link between drug deaths and deprivation. That is even more worrying, given that, unfortunately, the worst cost of living crisis in living memory is likely to create more deprivation and will make the Government's job even harder.

Although drug misuse is now, I hope, recognised primarily as a public health issue rather than a criminal justice issue, as Katy Clark said, we need to go a lot further in reducing the stigma of addiction, as Emma Harper outlined. Fundamentally, drug addicts are people in mental and physical pain. Usually, some sort of past tragedy develops into trauma, and drugs are used to numb some of the difficulties that manifest in daily life. I pay tribute to the courage of Collette Stevenson, who talked about her family's experience and her brother. That must have been hard to talk about, so I commend her for doing so. Darren McGarvey, whose series on Scotland's problems with addiction recently aired on the BBC, said that alcoholics and drug addicts "need our love". I believe that to be true.

However, if the Government wants our constructive support, it needs to focus on what we can do now. We have two separate proposals—one from Douglas Ross and one from Paul Sweeney—which exist because of the vacuum in Government policy on preventing drug deaths. Both proposals are worthy of consideration, and I will say more on that later.

As we have heard, there were nearly five times as many drug deaths in Scotland in 2020 as there were in 2000. We should probably reflect on how outrageous that statistic is. That is why we ask those with power and influence, such as the Lord Advocate, to consider what can be done within the law to change that situation.

Portugal is often highlighted as a success story. Drug rates there were similar to the European Union average, but, in 2001, it changed its policy to a health-led approach. Since then, the drug-related death rate has remained below the EU average. There is no reason why Scotland cannot turn things around in a similar way, but we need to ask whether we are on track to do that. As Claire Baker said in her opening speech, we cannot allow the Government to backtrack on the swift implementation of medically assisted treatment standards, because, until they are implemented, lives will unnecessarily be lost.

I will talk a little bit about drug consumption rooms and naloxone, as other members have done. As we have said on many occasions, the well-known Peter Krykant ran a drug consumption facility in a minibuss for more than a year. Over 10 months, the facility supervised more than 800

injections. David Liddell from the Scottish Drugs Forum said:

"there was no public interest in prosecuting him for the drug consumption room that he ran, and no prosecution followed. It is a ridiculous state of affairs that he can run such a service and not be prosecuted, but NHS Greater Glasgow and Clyde cannot run one, although it wants to."—*[Official Report, Criminal Justice Committee, 27 October 2021; c 31.]*

I do not think that there is a lot of disagreement on the issue, but we need to sort out public policy on it very soon, because it seems to be a bit of a mess.

As I have argued many times in the chamber, drug consumption rooms are one small part of what needs to be done, but it is important to make the point that they are a gateway to treatment for those who are seeking it, and the minister has committed to expanding treatment services. Drug consumption rooms exist in countries such as Australia, Canada, Switzerland and the Netherlands. The introduction of such facilities would clearly be a radical step to take, but it is important to acknowledge that there have been no deaths when consumption rooms have been used.

That is also acknowledged by the Royal College of Physicians of Edinburgh, which recommends safe drug consumption facilities as well as rolling out heroin-assisted treatment programmes in all major centres in Scotland. The college says that safe drug consumption facilities can prevent drug-related overdoses. That is only one way, but it is important to sort it out.

I await with real interest the report that the minister said will be published in June. I hope that, in that report, there will be signs that we are on the right track but, if we are not, it is important that ministers come to the chamber humbly and tell us that. If we are all serious about tackling the issue, we will acknowledge the situation and then put our heads together and work together to change the situation. We must do that, because far too many lives are at stake.

16:50

Jamie Greene (West Scotland) (Con): I echo the sombre comments that others have made and pass on our condolences to anyone watching the debate who has been affected by not just drug-related deaths but the presence of drugs in their lives or the lives of their families. I commend Collette Stevenson for sharing her deeply personal and moving experience and what that meant to her. We often forget that we are in a position of great privilege and can use our platforms in public life to share our personal experiences. As someone who has tried to do that, I know that it is not easy.

I would prefer it if future debates on the subject leaned more, in tone and content, towards talking about some of the progress that we are making and not the year-on-year rise in drug deaths that has often been the topic of such debates. Having listened carefully to the debate, I share Mr Marra's concern that the collegiate tone and constructive consensus that existed in the early days of our consideration of the topic have been replaced by a merry-go-round of blame, political or otherwise. That is deeply unfortunate.

The statistics are grim, and the truth is that we are the drug deaths capital of Europe. The point that many have made repeatedly today, and that I tried to make earlier, is that the rate of drug deaths in Scotland is much higher than that in the rest of the UK, where there is a very similar legislative environment dealing with drugs—arguably, it is more relaxed in Scotland than in other parts of the UK. Equally, there are huge pockets of deprivation across England, especially in the midlands and the north, where there have been major drug problems, and that is widely accepted by the Government south of the border. However, the drug death rate there is markedly lower, and that has never been properly and academically identified and discussed without a conversation where people say, "It's your fault", "It's her fault", "It's their fault" and, "It's that minister's fault, not my minister's fault." We could and should have a conversation about that issue.

Elena Whitham: Back in the mid-2000s, when I did a lot of work with people experiencing drug use, I would traipse round lots of GP practices trying to get prescriptions for benzodiazepines for those people, but general practice had wholesale stopped prescribing those, due to the fact that they were being sold on the open market. Does the member agree that that is one key area where we perhaps saw a shift in the way that Scotland dealt with drugs and drug deaths?

Jamie Greene: That is one of many factors. I do not disagree that the supply of cheap street drugs is a major problem. Members would not need to go far from this building to speak to people about how cheap and easy it is to source illicit factory-made pills that replace those that hitherto were prescribed. We are not clinicians—well, some of us are—and those are complex issues that need to be discussed.

I realise that there are a wide range of factors, many of which have been mentioned. Members have talked about social deprivation in the 1980s in areas such as the one where I grew up. I accept that those are fundamental root causes going back a generation, but that was 40 or 45 years ago. I am saying that we now have a powerful devolved Parliament and Government that could have made different choices in the past decade.

We cannot talk about the use of drugs without also addressing the important issue of supply, which has been missing from the debate so far. Drugs do not magic themselves on to the streets of Scotland; they are put there through a complex network of production, supply and distribution that starts with the dealers who are right at the top. Right now in Scotland, factories are making little blue pills that are sold for 50p a pop. People are overdosing on those and mixing them with other drugs, which is a fundamental reason for so many of them suffering fatal outcomes.

Of course, we know that complex cross-border issues exist, such as county lines, trafficking, slavery, and money laundering. What Scotland really needs is for both its Governments to work together on solutions to such intra-UK and international crime issues. That is not helped by the tone of the debate as I have heard it thus far.

I could talk about diversion from prosecution, or the legality or otherwise of safe consumption rooms, but Scottish Conservatives' views on those matters are well rehearsed and do not need to be played out again here. However, one fundamental aspect that we heard about in the debate is a game changer: the spending review that the finance secretary announced in the moments before the debate started. I am afraid to say that the justice portfolio came out badly in that. That includes spending on our prisons, rehabilitation services and community justice services that help to get people back on the straight and narrow. Spending on our courts and police core funding have also received a real-terms cut over the next five years. We could argue about why and how that has happened, but we must be honest with ourselves and ask the minister whether such cuts to front-line services will deliver the outcomes that she wants. I ask her whether the £50 million per year over this parliamentary session will be ring fenced and will not suffer the same budget cuts as those that have been announced for other portfolios.

I will finish by pleading with the Government. Rather than reflecting the unfortunate tone that I think was used in the debate, and taking issue with other Governments and powers that do not sit with us, I say this: all the front-line services to which people desperately need access will not exist or function properly if they are not properly funded and resourced. Before ministers lament the lack of powers that they claim they need if they are to fix the drug deaths problem, they must be able to demonstrate to Parliament—and to the wider public—that they are willing and able to use the ones that they already have, and use them to the fullest.

The Deputy Presiding Officer: I call Angela Constance. You have up to seven minutes, minister.

16:57

Angela Constance: I thank all speakers in the debate, but particularly Collette Stevenson for her very personal contribution. That was a great leveller for all members, across the parties. It reminded us that, at times, we just need to buckle down and focus on what matters most, which is saving lives.

Most contributors also recognised that we can only make the necessary impact by tackling problem substance use wherever it presents, be that in our communities, our institutions or our health and social care system. We must ensure that all our services—from primary care to housing and justice—are pulling in the right direction. That is why the national mission is so important in terms of both tone and our actions. It is about how we, as a country, move forward together, despite our differences, to address problem drug use by taking a public health approach that not only saves lives but, crucially, aims to improve life chances.

I do not shy away from the fact that, on coming into my current post, my first priority was to get investment out of the door and on to the front line. I am proud that the national mission has secured a 67 per cent increase in available resources. I hope that members will welcome and recognise the fact that 97 front-line and third sector organisations are now being directly funded by the Government via the Corra Foundation. Not long ago, we also announced that, over the next five years, 77 projects will benefit from £25 million of funding that came from the children and families fund.

Last week, I laid out in a statement—I appreciate that some members were underwhelmed by it; I know that I can bore for Britain on good governance—that accountability, governance and regular reporting at local and national level are crucial. That is why I laid out in the statement the work that we will do on local outcomes frameworks, the national mission annual report and the formulation of a plan—with which we are already proceeding—on prevention, emergency response, treatment, recovery and improving lives. I can assure members that we are gathering and publishing more information than ever before in the interests of transparency and accountability.

I have consistently said that I will give fair wind to the Conservatives' right to treatment proposition. I have no reason to do otherwise, and the same goes for Paul Sweeney's proposition on safe drug consumption rooms.

Katy Clark made some important points. She took us right back to the commentary of the Lord Advocate to the Criminal Justice Committee at the end of last year, when the Lord Advocate spoke about the limits that are placed on us by the law across the UK and raised the question of what is in the public interest when it comes to prosecution. I reassure Katy Clark and Pauline McNeill—it is a matter of public record that I have repeatedly said this—that the guts of the work are delicate and detailed; this is about meeting the need to be precise, detailed and specific in our proposition. The evidence around safe drug consumption facilities is compelling, and they are a gateway to other treatments.

With the greatest respect to any individual who comes forward with a proposition, I have never ruled out the need to legislate further. That is why we are moving forward with the national care service and a human rights bill. I and other members know that statements of high principles and propositions for future legislation do not necessarily equate to immediate action. That is why our focus has been on scaling up practical and financial support to implement, embed, sustain and improve the MAT standards, with the financial support increasing from £6 million to £10 million a year. We will return to the issue in just a few weeks because—again, in the interests of transparency and accountability—we will publish a report with 145 indicators across 29 localities.

Although I will not repeat them all now, we have made substantial announcements about our work on residential rehabilitation, which is part of our commitment to women and families and of keeping the Promise.

Members will recall the work that we have done on a treatment target. At the very core of the national mission is the need to get more of our people into the treatment and recovery services that are right for them. I have always said that the fact that we do not have enough people in treatment and recovery is on us.

Jamie Greene: It is a point of disgrace that, in Scotland at the moment, someone's ability to get residential rehabilitation is based on their ability to pay. That is an unfortunate fact. The beds are not going to magic themselves into existence overnight. What can the Government do in the short to medium term to improve access to much-needed rehabilitation for the people who need it most?

Angela Constance: I appreciate that Jamie Greene probably follows justice matters more carefully than issues in my portfolio. The decisions that I have made will result in 85 additional beds and will increase capacity by 20 per cent. The reason why we are doing all this monitoring and reporting is to follow the money. We are investing

more than ever before in residential rehab, and I am following that money very closely, hence my statement to the Parliament last week.

I want to cover the issue of benzodiazepines. The Government brought together the expert group in February this year—Michael Marra is right. One of that group's recommendations was that the development of the pilot benzo clinic that has been set up in Fife and is funded by £274,000 per year from the national mission should be monitored. I say to Emma Harper that the expert group also thought that it was too early to move to the use of flumazenil, because it is associated with seizures. If she would like to know more about that, she should not hesitate to come and speak to me.

My final point is about drug law reform. I have never demurred from the importance of investment in and reform of services and the need to utilise every aspect of the powers and resources that we have at our disposal. It is important that we do not seek to take the easy road. We must pursue what works. I have always engaged with the UK Government on the basis of evidence. We need a better conversation and debate, not only between ourselves but with communities of interest and place, about what will improve the safety and wellbeing of individuals and communities. That is about—

The Deputy Presiding Officer: Please bring your marks to a close, minister.

Angela Constance: We must, as a matter of priority, reduce demand and improve access to treatment.

The Deputy Presiding Officer: I call Paul O'Kane to wind up on behalf of the Health, Social Care and Sport Committee.

17:06

Paul O'Kane (West Scotland) (Lab): I am pleased to have the opportunity to close this important debate on behalf of the three committees, Health, Social Care and Sport, Criminal Justice, and Social Justice and Social Security. The committees have, as we have heard, undertaken joint scrutiny work on the issue of tackling drugs deaths and drug harm.

I begin, as colleagues have, on behalf of the committee by offering our condolences to anyone who has lost a loved one to drugs. I thank everyone from all sides of the chamber who has contributed to the debate, bringing their experience and ideas. I particularly thank our committee conveners who opened the debate, the minister and the party spokespeople, and I echo everyone's compliments to Collette Stevenson for her powerful and personal speech.

The debate and the joint work that preceded it have been important.

The Deputy Presiding Officer: There is a wee bit too much noise in the chamber and we all want to hear Mr O'Kane winding up on behalf of the committee.

Paul O'Kane: The debate and the joint work that preceded it have been important and broadly positive and are a strong example of cross-committee collaboration in Parliament. That work also reflects the cross-sectoral nature of the significant challenges that we face in tackling drugs deaths and drug harm and the variety of actions needed to address them. We have heard some of the ideas and thinking about those issues today. We heard from Russell Findlay and Sue Webber about the challenges in rehab services, the limitations of the Misuse of Drugs Act were outlined by Gillian Mackay, and Stuart McMillan outlined the need for long-term support in everyday life.

The evidence that we took as a joint committee from the UK Minister for Crime and Policing, Kit Malthouse, and from Angela Constance as the Scottish Government minister with responsibility for drugs policy, showed that many complex responses and interventions are required and that those will be found at many different levels of Government.

From the perspective of the Health, Social Care and Support Committee, today's debate has been particularly useful in shining a light on the public health aspects of drugs policy, a number of which the committee will undoubtedly want to explore further as part of its future work programme. Those include the issues of stigma, as raised by Emma Harper, and of safe drug consumption facilities, as raised by many speakers from across the chamber. There will no doubt be other aspects that colleagues in the Criminal Justice Committee and the Social Justice and Social Security Committee will want to take forward.

I hope that the committees can continue collaborating effectively as we progress with our important scrutiny work. It is clear that scrutiny and ensuring Government delivery will be important, particularly on issues such as the MAT. We must ensure that we scrutinise the members' bills in the names of Douglas Ross and Paul Sweeney that we have heard mentioned today.

Some contributors mentioned the tone of the debate. Gillian Martin spoke about the need to ensure that our tone is respectful, as did Michael Marra and Jamie Greene.

We must continue to focus on finding common ground on the issue, because there is a common view across the Parliament that this is a national emergency that warrants an urgent and concerted

response. What we have seen demonstrated today is that there is perhaps less of a consensus on what the solutions might be and how we should move forward.

In the joint committee, I had an exchange with Kit Malthouse in which I asked whether he acknowledged that poverty is an underlying cause of the drug deaths crisis and he responded by saying:

“I do not. I think that it is the other way around”.—[*Official Report, Criminal Justice Committee, Health, Social Care and Sport Committee, and Social Justice and Social Security Committee (Joint Meeting)*, 1 February 2022; c 14.]

He said that violence drives poverty rather than it being the other way round. However, there are contrary views. Some of the written evidence that we received in committee from alcohol and drug partnerships across Scotland specifically highlighted poverty and deprivation as being important contributing factors to drug harms. That evidence points to a significant overlap between our most deprived communities and an increased prevalence of drug harms and deaths.

However, it is also clear that we must drill down further to understand the particular challenges in our Scottish context and why our drug deaths are higher than those of other parts of the UK. I think that there continues to be broad agreement in this Parliament that Scotland’s drug deaths crisis is first and foremost a public health crisis and that our policy response needs to treat it as such, but we must acknowledge the relationship between health and justice, which has all too often jarred over many years.

Ultimately, if we are going to find impactful solutions, we need to follow the evidence, and it is important that we do that without prejudice or preconception. This afternoon, we have heard multiple examples of collaborative work throughout Scotland, the impacts that it is having in tackling drug harms and the further measurable impacts that it could offer for workable solutions that will reduce drug deaths.

In winding up the debate, I will highlight another example. In its written submission in response to our call for evidence, East Renfrewshire alcohol and drug partnership told us about Turning Point Scotland’s successful bid to deliver the WAND initiative in greater Glasgow and Clyde, including East Renfrewshire. The WAND initiative delivers four key harm reduction interventions on an outreach basis, focusing on wound care, the assessment of injecting risk, the provision of naloxone and dry blood spot testing for blood-borne viruses. We heard a lot about many of those interventions across the country in the debate today.

The WAND initiative is one of many innovative approaches that the committee has heard about in written evidence. It is an example of efforts to deliver consistent harm reduction interventions in communities across the west of Scotland. As legislators, we have a responsibility to evaluate and learn from those approaches and to try to replicate what works. That is why it is so important that, in this afternoon’s debate, we heard strong calls for evidence-based decision making, reporting to this Parliament and continued scrutiny and analysis of what is being done in this national mission.

We also heard in written evidence and all our discussions on the subject that early intervention is an important element of an effective policy response. We need to be mindful that an early intervention approach takes time to be embedded and to start delivering results, but it is no less important for that.

On behalf of the committees, I note the minister’s continued willingness to engage with us and be subject to on-going scrutiny in the committees and in Parliament, not only in relation to the work of the Drug Deaths Taskforce and its implementation but with respect to the new national collaborative. As a committee, we look forward to continued engagement and scrutiny of the decisions that the minister takes.

I believe that, across the Parliament, we all share a common goal, which is to achieve a sustainable long-term reduction in drug deaths and harms in Scotland and, ultimately, to eliminate the blight that drugs currently inflict on so many lives. I hope that, over the coming months, we will continue to do that in a collective dialogue, maintaining a laser focus on scrutinising progress. It is through effective collaboration across committees and parties, and by taking an evidence-based approach, that we will have the best chance of delivering on the national mission to reduce and ultimately eradicate drug deaths and harms in Scotland.

Business Motions

17:14

The Presiding Officer (Alison Johnstone): The next item of business is consideration of business motion SM6-04723, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out changes to tomorrow's business.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for Wednesday 1 June 2022—

delete

3.05 pm Portfolio Questions:
Justice and Veterans;
Finance and Economy;
Education and Skills

followed by Motion on the Platinum Jubilee

and insert

followed by Scottish Government Debate: The Queen's Platinum Jubilee 2022

3.35 pm Portfolio Questions:
Justice and Veterans;
Finance and Economy;
Education and Skills—[George Adam].

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S6M-04728, in the name of George Adam, on behalf of the Parliamentary Bureau, on a variation of standing orders.

Motion moved,

That the Parliament agrees, for the purposes of consideration of the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill at stage 3, that Rule 9.10.2A be varied to replace the word "fifth" with "third", so that the deadline for lodging a stage 3 amendment will be the third sitting day in advance of proceedings.—[George Adam]

Motion agreed to.

Decision Time

17:15

The Presiding Officer: There are no decisions to be taken as a result of today's business.

Ethical Principles in Wildlife Management

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-03023 in the name of Colin Smyth on ethical principles in wildlife management. The debate will be concluded without any questions being put. As ever, I invite members who wish to speak in the debate to press their request-to-speak buttons now or as soon as possible, and I call on Colin Smyth to open the debate.

Motion debated,

That the Parliament notes reports that thousands of animals and birds are taken and killed in wildlife management operations every year, including in the South Scotland region; considers that these are sentient beings that are capable of experiencing pain and suffering; notes the view that Scotland should lead the way in sustainable and humane interaction with the wild animals in the environment; notes the belief that wildlife management should be governed by ethical principles, such as the international consensus principles for ethical wildlife control, which recommend that efforts to control wildlife should, wherever possible: alter the human practices that cause human-wildlife conflict and develop a culture of coexistence, be justified by evidence that significant harms are being caused to people, property, livelihoods, ecosystems, and/or other animals, have measurable outcome-based objectives that are clear, achievable, monitored, and adaptive, minimise animal welfare harms and be confined to the fewest number of animals, be informed by community values as well as scientific, technical, and practical information, be integrated into plans for systematic long-term management, and be based on the specifics of the situation rather than negative labels such as "pest" or "overabundant", and notes the view that there are opportunities to integrate ethical principles into the Scottish Government's strategic approach to wildlife management and its species licensing review.

17:17

Colin Smyth (South Scotland) (Lab): It is a privilege to lead this debate on the issue of ethical principles in wildlife management, and I begin by thanking the many members from across the chamber who signed my motion. That reflects something that I have been aware of since the day that I had the honour of being elected to this Parliament, which is that there is a genuine interest and a real commitment to improving animal welfare that cuts across party lines. That support from members from parties across the chamber has brought about a meaningful change in recent years that has led to the improvement in the care and protection of animals, from tougher penalties for animal and wildlife crime to the establishment of the excellent Animal Welfare Commission. We have seen a greater scrutiny and interest in wildlife management, and I recognise the Government's commitment in this session to closing the loopholes in the current hunting with

dogs legislation and to making progress on the licensing of grouse moors and a review of snaring, which I hope will lead to an outright ban on the use of snares. As the League Against Cruel Sports says in its briefing for this debate, trapping and snaring is cruel, it is outdated and it has no place in modern wildlife management.

Although there has been much progress in animal welfare, there is much more still to do, not least in relation to our approach to wildlife management, which is too often ad hoc and can be illogical and, often, unscientific. Our attitudes to wild animals also differ significantly to our attitudes to domestic or farmed animals. Even among wild animals, protections vary from species to species and circumstance to circumstance, even though all animals are sentient—they, like us, feel pain; they feel distress.

There is some good practice when it comes to wildlife management but there are also too many examples of appalling cruelty. As a modern, progressive society we need a new, better approach.

I said that we have seen progress on animal welfare thanks to support in this Parliament, but that progress is also thanks to the many charities that give a voice to our fellow species, which cannot speak for themselves. There are too many to name today but we know those positive campaigns that really have delivered change. However, I want to highlight four organisations that are leading the way in putting welfare at the heart of the debate on wildlife and examining how ethical reasoning can be applied to wildlife management and interventions: OneKind, the League Against Cruel Sports and the other Revive coalition partners, as well as the Wild Animal Welfare Committee and the United Kingdom centre for animal welfare. They recognise that there will always be wildlife management interventions that will mean harm to some animals, however their work has highlighted the lack of a consistent approach to those interventions and the lack of a process that guides decisions around if, when and how those interventions take place to ensure that they are ethically led, evidence based and prioritise animal welfare.

However, such a framework does exist—the international consensus principles for ethical wildlife control. The seven internationally recognised principles were developed by a panel of 20 experts that was convened in 2015 at the University of British Columbia. They are not intended to prohibit or prevent wildlife control, including lethal control, but they aim to reduce unnecessary actions and, therefore, suffering, and ensure that, when controls are used, they are justifiable and acceptable.

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): Does Colin Smyth recognise that the Scottish Government has absolutely been out in front of making sure that wildlife crime and wildlife cruelty are kept to a very minimum?

Colin Smyth: I very much recognise that progress, and it is a point that I highlighted at the very beginning of my speech, but there are still areas that I think we need to make further progress on. What I hope to do today is set out exactly how the Government can make progress by incorporating those ethical principles into its work every day, because that is something that I think is difficult to argue with.

The seven principles challenge decision makers to ask seven questions. First, can the problem be mitigated by modifying human practice to prevent the need for control by, for example, having better refuse bin design to reduce the supply of food in our towns for gulls or by blocking potential entries to homes for mice as a first resort? Secondly, is there justification for the control? In other words, are there substantial harms being caused to people, property, livelihoods, ecosystems or other animals? Thirdly, is there a clear, achievable outcome, and how will that be monitored? A badger cull, for example, similar to the one in England, would not have met this principle, given the lack of evidence that it actually had any impact on tuberculosis in cattle. Fourthly, is the proposed method of control the one that carries the least animal welfare cost to the fewest animals? The Scottish Government has agreed a competency requirement for shooting deer, for example, but following the fourth principle would logically extend that to other species. Fifthly, is the action socially acceptable? Sixthly, is the chosen control part of a proper, systematic, long-term plan? Finally, is the decision to control based on the situation or simply the negative characterisation of that particular type of animal?

We are beginning to see international examples of putting such principles into practice. The AnimalKind accreditation programme of the British Columbia Society for the Prevention of Cruelty to Animals sets standards based on the principles, which wildlife and rodent control companies there are signing up to. Parks Canada, a federal Government agency overseeing all the land and marine parks, has adopted the principles for its biodiversity programme.

Crucially, there are real opportunities to do something similar in Scotland. In 2014, NatureScot—then known as Scottish Natural Heritage—was the first of the UK’s national nature agencies to adopt a wildlife position statement. It was forward thinking at the time but, eight years on, there is a need to better align that position with modern definitions of animal welfare. I understand

that NatureScot’s position statement will be reviewed, and perhaps the minister can confirm that today. What an opportunity to incorporate those ethical principles in the work of NatureScot, placing it at the heart of the Government’s approach to wildlife management.

We can, we should and we need to go further. The Government should prioritise wildlife management projects or programmes and incentivise land managers who carry out the appropriate ethical assessments when deciding on any control methods. They should incorporate the ethical principles into non-statutory codes and guidance and into any species licensing schemes. Ultimately, I believe that ethical principles should be incorporated into legislation and, if need be, I will bring forward a member’s bill to do just that.

Mahatma Gandhi once said:

“The greatness of a nation and its moral progress can be judged by the way its animals are treated.”

It is not moral to pepper our land with stink pits to lure animals to an excruciating death by snare in the name of wildlife management; it is not moral to allow grown men and women to continue to chase a fox to exhaustion in the name of wildlife management; and it is not moral to purge thousands of wild animals and birds in a circle of destruction in the name of wildlife management, perversely to protect other species so we can then kill them for sport.

We saw many glimmers of morality during the previous session of Parliament, with real progress on animal welfare. Fully incorporating the internationally recognised principles for ethical wildlife management would be world leading—it really would show that moral progress that all of Scotland could be proud of.

The Deputy Presiding Officer: Just a reminder: if members make an intervention and still want to speak later, they will need to press their button again.

We have a bit of time in hand and I can recompense anybody who takes an intervention.

17:25

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I congratulate the member, who is my colleague on the cross-party group on animal welfare, on securing this debate and on the temperate speech that he delivered. I am pleased to support the motion and to endorse the principles that have been expressed by Revive, a group that includes the League Against Cruel Sports, OneKind, Common Weal, Raptor Persecution UK and Friends of the Earth—that is some coalition. Indeed, OneKind gave a presentation on those

principles recently to the cross-party group on animal welfare, which I chair.

We make clear distinctions between what may be labelled pests, domestic animals and pets, yet they have everything in common. They are sentient, with distinctive means of communicating with their species and their predators, and their drive is to survive, to procreate and continue their species. We also, therefore, have also much in common with them.

Over the decades, our knowledge of the animals around us—hidden in our woods, underground, in our fields and in our homes—has grown as the media of television and film has exposed their lifestyles. Last night, watching “Springwatch”, I saw a bee, *Osmia bicolor*, which lives alone and builds a protective nest for its eggs in discarded snail shells. It then blocks the entrance with stones that it has carried there and, finally, upturns the shell so that the entrance is hidden. How clever is that?

Today, as I drove through the constituency, twigs flew up from beneath the bonnet and I realised that the pigeons had returned to nest in my *Acer Drummondii* tree—they build their nest in the same place each year, just above my car, and toss unsuitable building material on to it. The mice, which run between the cottage walls in the winter, have migrated back under the shed and into the small dyke. Mr Smokey, using all his ancient feline instincts and skills, keeps them at bay—now, that is what I call justified control. In the morning, before daylight, our resident blackbird wakes everyone—and every roosting sparrow in the holly tree—with his glorious song, and the early lone grey squirrel raids the bird feeder.

During the early months of Covid, we were put in our place. As a result of the fear of that possibly deadly virus, there were no cars on the streets and the wildlife around us soon reasserted itself, taking over those deserted streets. That small living organism, Covid, bypassed them and went straight for us. We, as a species, are not invincible. Why say this? Because we are privileged to hold the fate of these insects, birds and animals in our hands, and some of these hands lay snares, set traps, shoot and poison—and, sometimes, they do that to protect creatures that are bred solely for sport, usually for the other privileged.

I cannot support that in principle. In practice, we have the poisoning of birds of prey that are hunting for food to survive and feed their young; we have animals that are horrifically trapped in snares, tearing at their own flesh to escape; and fox hunting continues.

I turn to three of the principles that have been mentioned. First, is there a justification for control? I cannot see a justification for breeding animals

just for sport. Secondly, does the method of control prioritise animal welfare and cause the least harm to the least number of animals? The use of snares does not do that; it is indiscriminate. Thirdly, is the decision to control based on the situation or simply the negative characterisation of the target species? That applies to, for example, the culling of deer when their welfare is a concern, so I can support that.

Applying those principles is in our interests. As the highest species of animal, we are only custodians of the wildlife around us. It is also in the interests of the diverse, intriguing and essential variety of wildlife that surrounds us every day, and which we often fail to see.

17:29

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I thank Colin Smyth for bringing forward this important debate. Wildlife management in Scotland is an important and often misunderstood practice that is important to land managers, food producers, farmers and crofters.

Author Mary Colwell said that:

“It is part of the predator paradox that we consider some creatures as predators but exclude others; and even this restricted category is filled with subtle subdivisions. For example, badgers are lovable bumbles when they eat grubs, but we are thrown into cognitive dissonance when they overturn a hedgehog and devour the soft underbelly.”

Most predator and prey issues cannot be reduced to A plus B equals C, they are much more complex than that, as are the important roles of conservationists and land managers, who are exempt from this debate on ethical management.

The Scottish Gamekeepers Association represents those who carry out necessary wildlife management daily. It is the largest Scottish centre for deer management and trains gamekeepers to the highest standard of wildlife management to tackle the difficult job of managing deer. Many of those gamekeepers are contracted by Forestry and Land Scotland, a Scottish Government quango, to cope with the swathes of dense forestry being planted, particularly in Galloway, where planting has driven the catastrophic decline of the much-loved curlew, a bird that features strongly in Galloway’s consciousness.

Members might recall my motion highlighting the importance of endangered birds, notably the capercaillie. Beautiful birds such as that need our help as they face decline without proper wildlife management strategies that work to protect the bird and to manage its habitat and predators. That almost extinct species needs our support to survive. However, the Scottish Government must get on top of the decline of the species, with 531 habitats and 603 species in Scotland in poor

conditions and needing improvement. We would think that, following the 26th United Nations climate change conference of the parties—COP26—it would be a huge priority of the Scottish Government to address the decline of Scotland's wildlife so that birds such as the capercaillie do not face further decline. Habitat rejuvenation is important, and that is why it is disappointing that the Scottish National Party has failed to meet its peatland restoration targets and, therefore, has failed to restore habitats that peatlands provide. Much more must be done so that peatlands do not continue to decline.

I agree that, when wildlife management is needed, it should be based on evidence that is gathered by trained and qualified people, such as many of Scotland's gamekeepers who operate around the country, working long and difficult hours to ensure that our countryside is properly managed. A nine-year study by the Game and Wildlife Conservation Trust in Northumberland showed that, where gamekeepers manage populations of predators, populations of wading birds were three times more likely to successfully rear their young compared to when that was not happening. That shows the success of what highly regulated gamekeepers do daily and how they play a great conservation, environmental and economic role.

Colin Smyth's motion asks the Scottish Government to integrate ethical principles into the Scottish Government's strategic approach to wildlife management and its species-licensing review. However, in 2019, the shared approach to wildlife management brought together key organisations such as the Royal Society for the Protection of Birds, the British Association for Shooting and Conservation and the Woodland Trust precisely to implement principles and act as an anchor for decision making and action on the ground. That shared and robust approach offers a reference point when opinions differ but also explains that wildlife management means that we must look at the ways to contribute to it as well as at nature-based solutions.

It would be worth highlighting at this point, if Colin Smyth would like to make an intervention, what his assessment is of the current shared approach, given that it was supported by a broad range of rural, animal welfare and countryside organisations.

Colin Smyth: I am happy to make an intervention. I think that it is a good starting point but that we need to go further. We need to look at our wildlife practices to ensure that they have that ethical audit, as it were, and we also need to set out the standards that we expect people to adhere to with regard to our wildlife practice. The 2019 work was a good starting point, but we need to go

a lot further and embed those ethical principles, because, when you look at those principles, it is difficult to disagree with any of them.

The Deputy Presiding Officer: Please begin to wind up.

Rachael Hamilton: I thank Colin Smyth for joining me in considering those shared approaches.

I think that any changes in wildlife management must be consulted on. It is important that we bring together the people who are already practising conservation management across Scotland, and I stress the need for those people to be able to be part of that conversation and to provide those environmental, economic and conservation benefits to us all.

17:35

Rhoda Grant (Highlands and Islands) (Lab): I congratulate Colin Smyth on securing this debate and welcome the importance that it places on animal welfare.

We must ensure animal welfare in all settings, whether the animals are pets, domestic animals reared for food, wild animals or even those animals that have become a problem. It is clear that, where management and control is required, it must be carried out as humanely as possible, and we must do everything that we can to avoid distress for the animal. While doing that, we must also recognise that managing population numbers can also have an animal welfare role. With regard to managing deer numbers, for example, a small number of landowners avoid carrying out that work because it costs money to have it carried out appropriately. That has then led to culls out of season, which is a practice that is totally unacceptable. It has also happened on Government land and steps must be taken to ensure that it does not happen again. There are no penalties for land managers who do not manage deer numbers to within the capacity of their land.

A more controversial issue is the management of species that are introduced and then cause a problem. Mink, released in the Western Isles from fur farms, wreaked havoc on wildlife and required to be trapped and dispatched. However, regardless of the problems that they were causing, that needed to be done humanely. A similar exercise was carried out with hedgehogs, as, due to them having no natural predators, their number increased and impacted on the local bird life. No thought was given to that impact when they were released.

Therefore, I believe that much more research needs to be carried out when we look to

reintroduce species, so that we do not create conflict and unintended consequences. If that work is not thorough, issues arise and the goodwill of the community is lost or, indeed, the natural environment is damaged. Managing numbers when that happens is necessary work but, again, needs to be carried out humanely, while recognising it is often human intervention that has led to the problem in the first place: if those species were not released, they would not be causing a problem. We must tighten legislation with regard to releasing non-native species into an area in order to make the public more aware of the issues that can arise.

We also need to take steps to prevent conflict arising in the first place. Where conflict occurs, we need to look at solutions, and, if we are to manage numbers, we must make sure that that is done with the welfare of the animal at the forefront.

Coming from the Highlands, I am aware of the difficulties that a rogue fox can cause at lambing time, for instance. That causes distress to the flock and also to the farmer or crofter. Although I believe that rogue foxes must be dealt with, I also believe that that must be carried out as humanely as possible. I fail to understand how anyone can get pleasure out of hunting foxes down for sport. Therefore, I welcome efforts to tighten the legislation and close loopholes, and I hope that we can take the same approach in other areas of conflict to make sure that our response is proportionate but does not cause any unnecessary suffering to animals.

17:38

Mark Ruskell (Mid Scotland and Fife) (Green): I join other members in thanking Colin Smyth for his cross-party leadership on animal welfare at Holyrood, and also join him in thanking our animal welfare charities for their relentless work in this area.

I think that the ethical principles that we are discussing hold a mirror up to our relationship with the natural world. They highlight where wildlife management has moved on to a better footing but they also point to where traditional and often anti-scientific practices are unfortunately still the norm. They also reveal that the way that we treat our domestic animals can be dramatically different to the way that we treat some wild animals that are still, sadly, viewed as pests and vermin to be eradicated. The study from the League Against Cruel Sports, showing an estimated 250,000 wild animals killed each year on sporting estates, demonstrates how far there is still to go. The estimates that half of those animals are non-target species, such as hedgehogs or domestic cats, shows how cruel and indiscriminate practices such as snaring can be.

In recent years, we have seen numerous wildlife reviews led by eminent chairs—Poustie on wildlife crime and sentencing; Werritty on driven grouse moors; Bonomy on hunting with wild dogs—as well the critical report from the deer working group that is now being acted on through the Green-SNP agreement. Each of those reviews has moved the dial a little, but there is still a need for a consistent approach in relation to how we manage wildlife.

The position statement on wildlife management from Scottish Natural Heritage in 2014 and the later concordat that was signed were a really good first step. The SGA signed up to that concordat, as well, but, eight years on, I think that we are all agreed that there is a need for further reform. I welcome the debate on the principles, and the fact that the framework has already been adopted by Parks Canada tells me that it can probably work here too.

As Colin Smyth outlined, the seven principles are largely common sense. Take the first principle that we should look into the root causes of conflict of wildlife. It is obvious that, for example, many of the problems that we have gulls in town are due to rubbish and food waste collection issues. The gulls are really trying to tell us something about the need for a much more circular economy. The mentality of seeing certain species as pests is deep-seated and needs challenge. I was saddened to hear calls from the National Farmers Union Scotland recently for lethal controls on protected white-tailed eagles.

Although sea eagles can scavenge for dead lambs, it is a small proportion of their diet, and it is quite clear from the research that incidents of eagles taking live lambs are rare and that better husbandry, including lambing taking place under shelter, would address the real causes of the quite horrific levels of black loss that we see in sheep farming. Of course, many of the techniques to minimise that black loss are being trialled by farmers and crofters under the excellent sea eagle management scheme that is run by NatureScot, which is delivering welfare benefits to sheep as well as eagles. However, there is no need or justification for the culling of sea eagles, and those who persecute them illegally are quite clearly criminals.

The framework acknowledges that the culling of some species might, in some circumstances, be justified but it rightly demands systematic plans with clear objectives to be considered rather than the habitual culling of animals such as foxes that often results in populations just bouncing back again. Clear objectives are important and I think that OneKind is right to point out in its briefing for this debate that the badger cull in England failed to meet its objectives to curb bovine tuberculosis.

The debate on these principles is welcome and timely, and I very much look forward to hearing from the minister later about how the Scottish Government can embed them further into policy, practice and, ultimately, the law.

17:43

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): I congratulate Colin Smyth on securing this debate on ethical principles in wildlife management, which I am pleased to participate in. It is an emotive subject that can be extremely divisive, with polarised views on both sides.

My aim in speaking tonight is to, I hope, add some balance, on the basis that I have been involved on both sides. As a youngster, my life was spent outside watching birds and animals with total fascination. I was a dog owner and I kept two lofts full of racing pigeons. To me, those birds were thoroughbreds of the sky, sometimes racing from France and covering more than 500 miles in one day. They were an absolute passion of mine for years. However, for my neighbours, they were vermin that landed on their roofs and their dirtied their washing that was hanging out to dry. One person's passion for pigeons was another person's burden on the washing line.

As a young ornithologist, I was absolutely fascinated by all other birds. That was why I became involved in farming in the first place. The majesty of birds of prey, especially the peregrine falcon, was one of those absolute fascinations that gripped me. The idea of seeing a peregrine falcon in real life was only a dream to a townie like me, but I still used to go out and seek them for many years—all to no avail.

However, in among all of that there was also conflict that came from being a keeper of livestock, in the shape of racing pigeons, as well as being someone with a love of and fascination with wildlife, especially birds of prey. Think of the effects of a sparrowhawk attack on my racing birds. Members can imagine my horror on seeing one my most valued birds—the bird had flown from France for me on two occasions—being pinned to the ground as a sparrowhawk started to strip chunks of flesh off its back. It is one of those life lessons that sticks with a person and starts the process of coming to terms with the understanding that not everything is as it seems at first.

The lesson was well made, as I then made my transition from being a townie to shepherding and sheep farming. Again, my appreciation and love was challenged when I witnessed various fairly horrendous attacks on livestock that were in my charge. Foxes, crows, gulls, ravens and sea eagles are all absolutely beautiful and intelligent animals but they are also wild animals who play by

nature's rules, which by and large are brutal. I have to say, I take great exception to Mark Ruskell's insinuation that a sheep farmer's black loss is somehow the sheep farmer's fault. I also take great exception to his assertion that only injured or dead lambs are lifted by sea eagles—that is patently not the case.

I have read the seven principles of ethical wildlife management and absolutely understand the desire to see human and animals co-existing in places where animals are under threat. The Scottish Government has undoubtedly been at the forefront of wildlife protection while trying to find the balance that is absolutely required to allow farmers and conservationists to protect their respective charges.

We only have to look at the introduction of the sea eagles in the west and the conflicts that that still causes, which Mark Ruskell talked about, or the illegal introduction and subsequent protection of the Eurasian beaver in my constituency to see the issues that can arise. Those introductions require careful, balanced management and, as situations develop, that management practice must be adapted. I am confident that the Government always takes cognisance of those changes in circumstances and, as populations change, monitors the impacts on local communities and local populations of wildlife activity.

As I have said, the Government has shown itself to be actively working to protect the beauty and diversity of Scotland's ecology, and I welcome that greatly, but I gently remind everyone that there must be a proper balance for all of those demands on our land.

My search for all things to do with wildlife has been satiated by my involvement in farming, especially hill farming. The elusive peregrine became a regular sighting, buzzards are like sparrows in terms of sightings, sea eagles were regularly passing through the area that I farmed and I have witnessed red kite and hen harriers aplenty. Those are all birds that we would not have seen 20 years ago, but now there are far more numbers than there ever were when I was growing up.

What I have seen fewer and fewer of are golden plovers, lapwings, curlews, red shanks and oystercatchers. At the same time, I have seen an explosion in the number of ravens and other corvids. Their effect on the numbers of ground nesters has been absolutely devastating, and I think that it is disingenuous for non-governmental organisations to say that the two things are not related, because they absolutely are—I have witnessed it with my own eyes.

Protection and balance are equally important, and I urge the Government to continue with the balanced approach that it has so far taken.

17:47

The Minister for Environment and Land Reform (Màiri McAllan): I begin by echoing thanks to members who have participated in tonight's debate, and to Colin Smyth for lodging the motion on an important issue. I am pleased to have had the chance to listen to members' views and to have my opportunity to restate the Government's position—namely, that we take very seriously the welfare of wild and other animals.

We have taken a number of steps in recent years to turn our words into action in order to ensure the highest standards of animal and wildlife welfare. We established the Scottish animal welfare commission to provide independent advice, including on the welfare of sentient animals and wildlife. The commission has already looked at a number of important areas and has produced valuable reports—including on use of glue traps—a statement on animal sentience and a response to the deer working group's recommendations. We are translating much of that advice into action.

However, alongside our commitment to the highest standards of animal welfare, consideration must always be given to ensuring the protection of public health and of vital economic interests, which would not be able to operate safely without effective and humane management of wildlife. That is the balance that members have spoken of tonight.

It was with that need in mind that in our 2019-2020 programme for government we committed to developing a strategic approach to wildlife management with animal welfare at its core, that would also protect public health and economic and conservation considerations.

That commitment has been progressed through the development of NatureScot's shared approach to wildlife management, which was completed in 2019. It has been pointed out—I think by Rachael Hamilton—that the shared approach concordat brought together a range of organisations from across Scotland. The concordat sets out how they will work together to establish healthy and valued populations of wildlife. It describes the shared priorities and the overall willingness to co-operate. It was developed collectively and represents a wide variety of points of view, approaches and perspectives, including that of the RSPB Scotland, the Scottish Wildlife Trust, the Woodland Trust, NFU Scotland, the British Association for Shooting and Conservation, and the Scottish Gamekeepers

Association. That collaboration has not been easily won and is very important.

As well as representing consensus, the approach is also evidence-based, it is iterative and it is capable of being updated as NatureScot continues to review the latest thinking and evidence—for example, on sentience and other animal welfare principles. That collaboration and the ability to adapt as evidence appears are two very important points for the Government to note. Indeed, NatureScot is currently working with animal welfare organisations on how the ethical principles that we are discussing today can be integrated in the shared approach. That is evidence, I think, of its iterative nature.

I hope that that answers Colin Smyth's and Rachael Hamilton's questions about how the Government intends to embed the principles within our current framework.

Rachael Hamilton: Thank you. I am glad to hear the minister talking about the shared approach.

Does the minister agree that as well as all the organisations that she has just mentioned, individuals who have roles in the matter should be brought in to ensure that there is a fair consultation process?

Màiri McAllan: I absolutely agree with that, in principle. I have long held the view that as policies develop, people whose lives and livelihoods they affect ought to be engaged in that development. That is something that we can apply to this subject and across the piece in the Government. Development of principles that pertain to the shared approach was something that I was pleased to discuss with the Wild Animal Welfare Committee when I met it last week.

As well as seeking to understand how ethical principles can support the Government's high-level approaches, we are also seeking to use them in a quite targeted and specific way. My officials have arranged a workshop for 14 June to explore how the ethical principles can be applied to deer management in Scotland, which has been mentioned by a number of members. We know that tackling deer numbers is one of the most pressing biodiversity challenges that face Scotland. I am looking forward to seeing how the ethical principles can be built into that.

Members will also be aware that we made a commitment in our programme for government to conduct a general review of the species licensing system, under which much wildlife management operates. That will be an opportunity to look at how the system operates through the lens of wildlife welfare, but always bearing in mind the need to protect crops and livestock or to maintain,

for example, aircraft safety, all of which require controls.

Licensing of wildlife management is strictly governed by law, so it is important that we ensure that the law is being followed in how operations are managed. The review will ensure that in addition to the existing statutory requirements, welfare principles are baked in to how the system operates. I look forward to reporting to Parliament on progress on that later in this session.

The review sits alongside a significant spread of wildlife and animal welfare work that the Government is doing and is developing. The recent Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 has strengthened penalties across a range of wildlife crimes. Those tougher penalties should ensure that the minority of people who casually abuse our wildlife will be held accountable, with consequences that reflect the severity of the crime.

We are also—as has been mentioned—currently taking the Hunting with Dogs (Scotland) Bill through Parliament. The welfare of wildlife is at the heart of that bill. We are replacing existing legislation and are making the law clearer and closing loopholes. That will ensure that the practice of hunting and killing a mammal with a dog—which has been unlawful for 20 years—will no longer take place in Scotland.

Colin Smyth: Does the minister believe that the ethical principles should be considered as that bill, which will close loopholes, goes through Parliament? I know that the minister and I have different views on whether we should have a licensing scheme, but surely a licensing scheme should be subject to the ethical principles?

Màiri McAllan: I believe that a huge amount of what we are already doing is aligned with the ethical principles. I am interested to know how what we do can also align with them. I will continue to consider that for each piece of work.

I am also taking action to put an end to the cruel and unlawful killing of raptors, which has continued to take place, particularly in and around uplands. It is with that in mind that we will introduce legislation in the current session to put in place a meaningful, effective and workable sanctions regime through a licensing—

Christine Grahame: Will the minister take an intervention?

Màiri McAllan: I am very short of time but I am happy to do so, if I can.

The Deputy Presiding Officer: I can give you the time back, minister.

Christine Grahame: The question is brief, and I do not want to put the minister on the spot, so I would appreciate getting an answer later. What is happening is all very laudable, but policing is a huge problem because most of the activity takes place in far-flung places in the hills and woods, where there is nobody about. The minister knows that already. Can consideration be given to additional policing for wildlife crime?

Màiri McAllan: I thank Christine Grahame for that important question. As she pointed out, much of the activity takes place away from the eyes of our police and other enforcement authorities. I am working with the police as we develop policy in order to understand what the police need in order to do their job effectively. In the Hunting with Dogs (Scotland) Bill we are seeking to ensure that the law is much clearer so that the police can more easily understand when it is being breached.

In addition to those bits of work, we have committed to ending use of glue traps, which is a particularly cruel and harmful practice. We are committed to reviewing the use of snares and to going beyond the remit of the statutory review. We already have the most robust legislation on snaring in the UK, but I am undertaking a review that will consider whether it ought to be banned entirely.

From all that work—and more—I hope that it is clear that the Scottish Government has an ongoing commitment to ensuring the highest possible animal welfare standards, including for our wildlife, while remaining at the forefront in terms of matters including sentience.

There is much that I agree with in the principles. I am committed to working with members across the chamber and with interested stakeholders—including all the charities that work so hard, as Colin Smyth mentioned—so that we understand how the principles can sit alongside the ambitious programme of work that the Government is taking forward to protect our animals and our wildlife.

The Deputy Presiding Officer: Thank you, minister. That concludes the debate.

Meeting closed at 17:57.

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