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Scottish Parliament

Wednesday 22 June 2022

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

Business Motions

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business is consideration of business motion S6M-05171, in the name of George Adam, on behalf of the Parliamentary Bureau, on suspension of standing orders.

Motion moved,

That the Parliament agrees, for the purposes of consideration of the legislative consent memorandum on the Social Security (Additional Payments) Bill, Rule 9B.3.5 of Standing Orders is suspended.—[George Adam]

Motion agreed to.

The Deputy Presiding Officer: The next item of business is consideration of business motion S6M-05166, in the name of George Adam, on behalf of the Parliamentary Bureau, on changes to this week's business.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Wednesday 22 June 2022—

after

followed by Scottish Labour Party Debate: Delivering the Immediate Removal of Non-residential Social Care

insert

followed by Legislative Consent Motion: Social Security (Additional Payments) Bill - UK Legislation

delete

6.10 pm Decision Time

insert

6.40 pm Decision Time

(b) Thursday 23 June 2022—

delete

7.15 pm Decision Time

and insert

6.45 pm Decision Time—[George Adam].

Motion agreed to.

Portfolio Question Time

Justice and Veterans

14:01

The Deputy Presiding Officer (Liam McArthur): The next item of business is portfolio question time, and the first portfolio is justice and veterans. I ask members who wish to ask a supplementary question to press their request-to-speak button or enter R in the chat function during the relevant question. I advise members that business is extensive this afternoon, so I add emphasis to the usual plea that questions and answers be as succinct as possible.

Abortion Clinic Protests (Antisocial Behaviour Laws)

1. **Carol Mochan (South Scotland) (Lab):** To ask the Scottish Government what discussions justice ministers have had with ministerial colleagues regarding using antisocial behaviour laws to prevent people from carrying out intimidating protests outside abortion clinics. (S6O-01252)

The Minister for Community Safety (Ash Regan): The Cabinet Secretary for Justice and Veterans and I are kept up to date on the discussions that are held in the buffer zones working group, which is chaired by the Minister for Public Health, Women's Health and Sport. The group is looking at all the legislation that could be used in response to protests at abortion clinics. That includes the antisocial behaviour legislation about which Carol Mochan has asked.

The application of antisocial behaviour legislation in response to protests is an operational matter for Police Scotland, which assesses each incident individually and will take appropriate and proportionate action in response. The Scottish Government fully supports Police Scotland to respond to protests at abortion clinics in such a manner if Police Scotland feels that a response is merited and is required to protect individuals and public safety.

Carol Mochan: The law states that a person is involved in antisocial behaviour if they act

"in a manner that causes or is likely to cause alarm or distress"

to anyone, or if they behave in a way that is

"likely to cause alarm or distress to at least one person who is not of the same household".

In what sense is deliberately seeking to scare or intimidate a woman who is simply pursuing the healthcare to which she is entitled not antisocial? Why cannot the antisocial behaviour laws be

used? Will the minister ensure that those laws are used now to protect people who are seeking healthcare?

Ash Regan: There is no place in our society for harassment, abuse and intimidation of women and girls who access healthcare services. The Scottish Government has been clear about that.

Let me reiterate what the Scottish Government is doing on the matter. The Minister for Public Health, Women's Health and Sport has convened a working group, whose members include Police Scotland, the Convention of Scottish Local Authorities and affected health boards. The group is looking at short-term, medium-term and long-term solutions to the issue.

Members will no doubt be aware that the First Minister is committed to finding meaningful solutions to the problem of protests outside abortion clinics. She will chair a summit on the matter on 27 June—just next week. The summit will focus on buffer zones, and it will be attended by members of the Scottish Parliament, COSLA, women's rights groups and so on.

It is important that any action that is taken is proportionate and balances everyone's rights under the European convention on human rights. The issues are complex, but I give the assurance that we are considering them all very carefully.

Hate Crime

2. Ariane Burgess (Highlands and Islands) (Green): To ask the Scottish Government what its response is to the Crown Office and Procurator Fiscal Service's recent report on hate crime in Scotland, particularly the findings that in 2021-22 disability aggravated charges increased by 44 per cent and transgender identity aggravated charges by 87 per cent compared with 2020-21. (S6O-01253)

The Cabinet Secretary for Justice and Veterans (Keith Brown): Any form of hate crime or prejudice is completely unacceptable. Although the increase in disability and transgender aggravated hate crime may in part be related to a greater willingness among victims to report incidents, we are not complacent and remain committed to tackling hatred and prejudice wherever it occurs. Later this year or shortly thereafter, we will publish our new hate crime strategy, which will set out our priorities for tackling hate crime. To help to drive that, we have established a strategic partnership group, which is chaired by the Minister for Equalities and Older People and includes representation from the Equality Network and Glasgow Disability Alliance.

Ariane Burgess: I welcome the figures that show that total numbers of hate crimes have decreased across the north and north-east, but it

is very concerning that Inverness has seen a rise in hate crimes related to sexual orientation and disability, especially since crimes of that nature are consistently underreported. What is the Scottish Government doing to support LGBTQ+ people and disabled people who have been victims of a hate crime to come forward and report it?

Keith Brown: The Scottish Government stands shoulder to shoulder with all victims of hate crime, including LGBTQ+ people and disabled people, and we strongly encourage reporting of incidents directly to the police or by using one of the many third-party reporting centres that exist in every local authority. However, we recognise that for some victims, barriers to reporting hate crime remain. As we work to develop a new hate crime strategy for Scotland, we will consider how to build on the progress that has been made in reducing barriers in order to ensure that victims and witnesses have the confidence to report hate crime, and that they feel supported in doing so.

Jamie Greene (West Scotland) (Con): It is shocking that in Scottish society hate crimes against disabled people and the LGBT community have outnumbered and overtaken religious or sectarian hate crimes for the first time. Intolerance seems to be reducing in one area but increasing worryingly in another. As Ariane Burgess pointed out, such crimes are markedly underreported in those communities. As well as the steps that have been mentioned by the cabinet secretary, what conversations have taken place with Police Scotland and the Crown Office to improve prosecution rates, which would surely act as a true deterrent to those who seek to abuse people from our disabled and LGBT communities?

Keith Brown: I agree with Jamie Greene's point. It is shocking to see the rises in hate crime, particularly crime against people with disabilities. We recognise that not all incidents of hate crime come to the attention of the police. We engage with the police and the Crown Office, not least in relation to "Tackling Prejudice and Building Connected Communities Action Plan: Overview of Implementation", which showed encouraging progress in raising awareness and encouraging reporting of hate crime, including through execution of the annual public awareness campaigns that we undertake with partners.

As we work to develop a new hate crime strategy with the partners that Jamie Greene mentioned, we will consider how to build on the progress that has been made on tackling barriers to reporting, including third-party reporting, to ensure victim support and further confidence.

Police Scotland (Culture)

3. Daniel Johnson (Edinburgh Southern) (Lab): To ask the Scottish Government whether it will provide an update on the review by the Police Service of Northern Ireland into findings by a tribunal of a “sexist culture” in Police Scotland. (S6O-01254)

The Cabinet Secretary for Justice and Veterans (Keith Brown): To quote the chief constable,

“Misogyny, sexism and discrimination of any kind are deplorable. They should have no place in society and no place in policing.”

I welcome the independent report, which has been commissioned by the chief constable and carried out by the Police Service of Northern Ireland. I fully support the review’s findings and recommendations. I expect to see Police Scotland demonstrating progress towards implementation of the recommendations and—to quote the chief constable again—

“to lead a change which improves the experiences of all women ... enabling and supporting those who speak up ... to be heard without fear of detriment or victimisation.”

Daniel Johnson: I thank the cabinet secretary for that response and I welcome the fact that the report has now been published. However, the facts are these: a promising young female officer was bullied out of the force; damages of more than £1 million were awarded; and an acting inspector is being investigated for perjury. Yet this report merely recommends a review of recruitment into firearms, training on standards and a refresher course on diversity. Is recommending diversity training in response to such serious issues not the very definition of tokenism? I find it incomprehensible that the report fails to offer any insight or recommendation on organisational or procedural reform. Given that officers at the most senior level were aware of it, I find it scandalous that the conduct of no individuals other than those who were directly involved was considered. In line with Dame Elish Angiolini’s recommendations in her report on police complaints, can we put an end to the practice of the police investigating themselves? Will the cabinet secretary write to the Scottish Police Authority chair and the chief constable to ask them to reject the report and undertake a robust and comprehensive examination of the culture—

The Deputy Presiding Officer: That is not a brief question, Mr Johnson.

Daniel Johnson: Will he meet me, Rhona Malone and Richard Creanor, who first brought the matter to my attention, so that he can examine the issues directly?

Keith Brown: I have already stated that I support the recommendations that were made by the police and I do not see them as being as trivial as Daniel Johnson suggests. The root of the issue is in the training and the culture in Police Scotland, and the recommendation was made—not by Police Scotland but by the Police Service of Northern Ireland—to tackle that through training and a number of other measures. The report has just been published and I appreciate that there is room for further discussion. I will take advice about meeting the other people whom he mentioned, but I am certainly happy to discuss the matter further with Daniel Johnson and see what else is possible. After this question time and the statement that I am about to make, I will meet Police Scotland and the SPA and I am sure that we will discuss the issue at that time as well.

Rona Mackay (Strathkelvin and Bearsden) (SNP): What steps is the Scottish Government taking to drive forward meaningful improvement and strengthen public confidence in the police?

Keith Brown: We are committed to supporting the changes that the chief constable has committed to lead, so that Scotland’s citizens and communities have trust and confidence in the policing system and the structures that underpin it. Of course, that has been impacted by the example that has been given already.

Working with partners, following the publication of Dame Elish Angiolini’s review, we have already taken significant steps towards achieving that. On 24 May, a 12-week public consultation was launched to seek views on 34 of her recommendations that would require possible legislative changes. We will continue to engage with partners and interested parties on those important matters, so that we can further improve transparency and strengthen public confidence in the police.

Russell Findlay (West Scotland) (Con): I have spoken with Rhona Malone and other female officers who have suffered from Police Scotland’s sexist culture, such as Karen Harper, a brave whistleblower who was forced from her job due to sexist bullying but who is still fighting for answers after seven damaging years. She says that there is a chasm between Police Scotland’s rhetoric and its actions. As Daniel Johnson has already asked, is the cabinet secretary willing to meet her and any other woman who fears that the PSNI report might not change anything?

Keith Brown: I have substantially responded to the points in answer to Daniel Johnson’s question, but I would say the same to Russell Findlay. I am happy to meet him. I do not know the proprieties of meeting someone else who might have a current case against Police Scotland, but I am willing to

look into that and come back to the member if it is possible to do so.

I agree with the point about making sure that rhetoric is reflected in reality, but I have faith that the members of Police Scotland's senior management team are committed to this work, whether that is through the report that was produced by the Police Service of Northern Ireland or through the recommendations of Dame Elish Angiolini's review. They are committed to driving out those behaviours and I want to support them in doing that. If, after discussions with Daniel Johnson and Russell Findlay, there are further suggestions, I am happy to take those to Police Scotland.

Stephen Kerr (Central Scotland) (Con): I welcome the cabinet secretary's comments about creating a culture in Police Scotland in which men and women can speak up and be heard. However, in many instances, the public interest has been affected to the detriment. Does the cabinet secretary agree that, in order to deal with all those issues in an appropriate way, the time has come for us to consider the case for an independent office of the whistleblower in Scotland?

Keith Brown: We already have before us a substantial body of work that looks at complaints against the police, and that is the way we should address the matter. Other suggestions might be taken into account at the same time, but I am aware of how complex the landscape already looks with the different players who are involved in looking at the police, such as Her Majesty's Inspectorate of Constabulary in Scotland, the Scottish Police Authority and the Police Investigations and Review Commissioner. A lot of people are involved in doing that work. We have to ensure that the public understand what that landscape is and what the quickest, easiest and most straightforward way to make a complaint is. Also, police officers themselves have a right to expect that there is a simplified process that they can understand. That is what we are aiming for. Of course, we are willing to listen to any suggestions in addition to that.

War Pensions (Appeals)

4. **Bob Doris (Glasgow Maryhill and Springburn) (SNP):** To ask the Scottish Government what support and advice is available to veterans in appealing to the Upper Tribunal for Scotland regarding war pensions. (S6O-01255)

The Cabinet Secretary for Justice and Veterans (Keith Brown): Both the war pension scheme and the armed forces compensation scheme are reserved to the United Kingdom Government. The Upper Tribunal administrative appeals chamber is also reserved and is administered by Her Majesty's Courts and

Tribunals Service. However, we understand that Legion Scotland offers advice and support to veterans pursuing such claims. Veterans may also be eligible for financial assistance with their appeals through legal aid. Additionally, the veterans welfare service, which is part of the Ministry of Defence's Veterans UK, offers support to anyone claiming a war pension.

Bob Doris: I am indeed aware of the excellent advice and support that organisations such as Legion Scotland offer military veterans to access their entitlements, including war pensions. However, once any appeals process for war pensions reaches the Upper Tribunal for Scotland, appeals can be made only on points of law. That has left a constituent of mine with a significant advice gap, as support organisations cannot offer such legal advice and my constituent is unable to claim legal aid. Will the cabinet secretary review the advice and support that is available in Scotland—perhaps in partnership with his colleagues in the UK Government, given the reserved aspects of much of this—to see what steps can be taken to plug what is, certainly in my constituency case, an advice gap?

Keith Brown: As I have said, war pensions are wholly reserved and the appeals process is independent. Any changes to associated support are a matter for the Secretary of State for Defence but, as Bob Doris is hinting, there are substantial controversies around the administration of these schemes, whether it is in terms of pensions or compensations that are currently at Westminster.

In order to target funding appropriately, legal aid applications are subject to statutory tests, which cover the merits of the case and the means that are available to the applicant. The Scottish ministers are not involved in the decision-making process, but there are resources available that may be able to assist with advice for Bob Doris's constituent, such as the local citizens advice bureau, the Scottish Legal Aid Board and the Law Society of Scotland, which are also able to provide assistance in finding advice providers.

Legal Aid

5. **Foysoil Choudhury (Lothian) (Lab):** To ask the Scottish Government how it will ensure fair access to justice in light of its recent resource spending review reportedly freezing legal aid spending for the next five years. (S6O-01256)

The Minister for Community Safety (Ash Regan): The legal aid fund is not frozen. The legal aid budget in Scotland is demand led and all those who meet the eligibility criteria will have access to legal aid. We will continue to work with justice organisations to develop and co-ordinate their delivery plans in response to the high-level

spending review allocations, including public bodies such as the Scottish Legal Aid Board.

In this financial year, we have increased the legal aid budget by £13.9 million, which is an increase of 10 per cent, and we have also made an investment of £1 million over two years in the future of the legal profession. We are working in partnership with the Law Society of Scotland to deliver a new legal aid traineeship scheme, which is the first of its kind in Scotland.

Foysoi Choudhury: The impact of the announcement of a budget freeze will paralyse the justice system, which is already struggling. The weight of the court backlog from the Covid period is already harming access to justice and this will only threaten any recovery. In recent months, people across the Lothian region have been caught up in a mixture of court backlogs and industrial action from the legal profession in protest at frozen pay. There is delayed justice and strike action, and people across Scotland are stuck without access to legal representation. Is this the reality of the Scottish Government's new vision for justice?

Ash Regan: I do not agree with the member's assessment. The spending review sets out high-level multiyear spending parameters; it is not a budget. The annual budget will continue to be set through the normal parliamentary budgeting process.

The member mentioned the backlog. The Government has invested substantial amounts of funding into reducing the backlog.

In terms of legal aid practitioners, in addition to the increase in the legal aid budget this year, we have recently also offered a 7.5 per cent uplift in criminal fees and a 5 per cent uplift in civil fees. That has been rejected by the profession. However, we will endeavour to continue those negotiations in order to find an affordable solution.

Fulton MacGregor (Coatbridge and Chryston) (SNP): We can all agree that fair access to justice is vitally important, so I welcome the £13.9 million investment that the minister has outlined. How does the legal aid system in Scotland compare to other jurisdictions in Europe on scope, access and eligibility?

The Deputy Presiding Officer: Briefly please, minister.

Ash Regan: An independent review of legal aid, which was published in 2018, found that Scotland had a generous legal aid system by international standards, and that it had wide scope and no cash limit. Despite significant financial pressures, Scotland is one of the leading jurisdictions in Europe for its legal aid system in terms of scope, eligibility and costs: 75 per cent of people are

financially eligible for some form of civil legal aid assistance, which contrasts with England and Wales, where only 25 per cent of people are eligible for that assistance. In England and Wales, there have been cuts to scope that have left many areas of civil law, such as family, housing and immigration, largely out of scope.

Willie Rennie (North East Fife) (LD): The minister will have seen Lyndsey Barber's powerful video setting out why she is leaving the criminal defence system. She says that the system is at breaking point. Has the minister done an assessment of the impact on victims if the system breaks?

Ash Regan: Since 2019, the Scottish Government has increased legal aid fees by 8 per cent, and another 5 per cent was committed earlier this year. That was not a one-off payment: it is a year-on-year commitment of 13 per cent. Of course, that must be set against the current backdrop of difficult public finances. That demonstrates that the Government values legal aid practitioners, and that we are investing in that system. I will give the chamber my assurance that the cabinet secretary and I will continue to engage with representatives of the profession in order to try to find a sustainable way forward.

Police Pay Negotiations

6. **Jeremy Balfour (Lothian) (Con):** To ask the Scottish Government whether it will provide an update on police pay negotiations. (S6O-01257)

The Cabinet Secretary for Justice and Veterans (Keith Brown): The police negotiating board's process is on-going in relation to police officer pay for 2022-23. In line with police negotiating board protocols, it is not appropriate for me to comment on that. The Scottish Government is, of course, involved in officer pay negotiations, alongside the Scottish Police Authority and Police Scotland, as part of the PNB's official side. Police staff pay is negotiated under a separate process to officer pay, and it is a matter for the Scottish Police Authority and Police Scotland, in consultation with trade unions, at their joint national consultative committee.

Jeremy Balfour: The Scottish National Party Government has broken its manifesto promise to protect the police budget in real terms, and hard-working police will pay the price for that. I have an answer to a freedom of information request that shows that last year's police pay settlement cost Police Scotland £14.5 million, which is less than the £20 million that the SNP Government is proposing to spend on another independence referendum. Would the cabinet secretary rather the SNP Government spends £20 million on police pay or on another referendum that Scotland does not want?

Keith Brown: I say to Jeremy Balfour that that is factually incorrect. Unless he has the ability to foresee what the budget is going to be, we have not broken any commitment—but we will not let the facts get in the way of a headline.

The wage increase that police officers in Scotland were awarded last year was an increase of more than 2 per cent. What did police officers in England and Wales get from the Tories? Nothing—an increase of zero. That is the way the Tories treat police officers. It is also true that Jeremy Balfour should realise that the budget that we receive is 5.2 per cent down this year—there has been a 5.2 per cent cut to the budget by the Conservatives. *[Interruption.]* I know that members do not like to hear that, but the Tories cut the budget in Scotland by 5.2 per cent at the same time as their economic mismanagement of the economy has led to 9.1 per cent inflation. The Tories are the cause of problems for all sorts of public sector workers across the country.

We will continue to do as much as we can for the police, and we have a very good record of doing that. For example, a police officer who is starting in Scotland has a starting salary of more than £26,000, whereas one starting under Tory England and Wales will be paid £21,000. That is the way we are looking after the police.

Water Safety Action Plan

7. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government how it will raise awareness of the water safety action plan ahead of the summer to ensure that people stay safe in and around Scotland's waters. (S6O-01258)

The Minister for Community Safety (Ash Regan): The member has chosen an apt moment to raise the issue, as this week is the Royal Life Saving Society UK's drowning prevention week.

On 18 May, I convened a further meeting with our water safety action plan stakeholders, including the Royal Life Saving Society UK, and plans to raise awareness of water safety issues in advance of the summer were discussed at some length. The discussion covered activities on several fronts, including on-going work with Water Safety Scotland to raise awareness about staying safe around the water, identify drowning hotspots and improve water safety signage and messaging.

Colin Beattie: As the minister said, this is drowning awareness week 2022. It is one of the largest summer water safety campaigns across the United Kingdom, which is a great opportunity for organisations to educate the public to enjoy water safely. What impact has the £60,000 funding grant for Water Safety Scotland in March had on

organisations that have an interest in water safety?

Ash Regan: The Scottish Government provides annual funding to enable the Royal Society for the Prevention of Accidents—RoSPA—to deliver an effective programme of home and water safety activity for Scotland. This year's total of nearly £180,000 includes an additional £60,000, which is purely to better enable RoSPA to expand the support that is provided to Water Safety Scotland, which is the key forum for relevant organisations to come together to share knowledge and learning and to reinforce one another's efforts. It will enable Water Safety Scotland to develop its pivotal leadership and management role to ensure support for all organisations in its growing membership, and to fully support the diverse workstreams that are associated with the delivery of "Scotland's Drowning Prevention Strategy 2018-2026" and the water safety action plan. One specific example is enabling—

The Deputy Presiding Officer: Minister, I will have to stop you there in order to get in question 8 from Emma Harper, who joins us remotely.

International Transfer of Prisoners

8. Emma Harper (South Scotland) (SNP): To ask the Scottish Government when it last discussed the international transfer of prisoners to Scotland with the United Kingdom Government. (S6O-01259)

The Cabinet Secretary for Justice and Veterans (Keith Brown): The Ministry of Justice negotiates prisoner transfer agreements on behalf of the United Kingdom, taking into consideration the views of the devolved Administrations. The Ministry of Justice has recently shared proposed amendments to the additional protocol to the Convention on the Transfer of Sentenced Persons, which is intended to improve prisoner transfers between the United Kingdom and Council of Europe member states. I am currently considering those amendments.

Emma Harper: My constituent's son is a UK citizen and he is currently in prison in Boston in the United States. Their son has severe mental health issues and has made four applications to the international prisoner transfer scheme to be brought to Scotland. My office has been liaising with the prison, the UK consul general and the Department of Correction in the US. We have previously been told that it is unlikely that his application will be successful, despite him meeting all the criteria. Therefore, will the cabinet secretary undertake to raise the case with the UK Foreign Office to see whether any further action can be taken to bring him home to Scotland, where he will have access to his family and receive the best possible treatment?

Keith Brown: If the member wants to write to me with the detail, it might be something that I could raise with the UK Government.

The Deputy Presiding Officer: That concludes portfolio questions on justice and veterans.

Finance and the Economy

The Deputy Presiding Officer: The next portfolio is finance and the economy. If members wish to ask a supplementary question, I invite them to press their request-to-speak button or place an R in the chat function during the relevant question.

Brexit (Impact on Economy)

1. **Ruth Maguire (Cunninghame South) (SNP):** To ask the Scottish Government what its latest assessment is of the impact of Brexit on Scotland's economy. (S6O-01260)

The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee): We know that Brexit is contributing to the 19th consecutive monthly rise in prices that are charged by businesses in Scotland, and it is causing United Kingdom food prices to increase by more than 6 per cent, which hits the poorest families hardest.

According to the Organisation for Economic Co-operation and Development, next year the UK will have the lowest growth in the G20, apart from Russia, and the Office for Budget Responsibility forecasts that, in the long run, Brexit will hurt productivity growth by twice as much as the pandemic.

Since 2019, goods exports have fallen by 20 per cent, largely driven by a decline in oil and gas exports, which amounts to a fall in goods trade with the European Union of 16 per cent, whereas trade with non-EU countries dropped by only 4 per cent. That said, Scotland's exports are still outperforming the UK's. Excluding oil and gas, exports to all countries from Scotland last year were down 1 per cent on 2019 levels compared with a fall of 8 per cent for the UK as a whole.

Even as Scotland tries to cope with the fallout of a reckless hard Brexit, the UK Government is risking a trade war with the EU over the Northern Ireland protocol.

Ruth Maguire: It is a significant concern that Brexit continues to harm Scotland's economy and is a persistent reminder of the on-going cost that Scotland is paying for Westminster mismanagement. Last week, the Scottish Government published an analysis paper that showed that the status quo is not allowing Scotland to fulfil our full potential, and that the UK economic model and Westminster decision making are holding us back. Can the minister say

any more about how, with full control of economic powers, we would be better placed to realise Scotland's full economic potential?

Ivan McKee: The paper that was published by the Scottish Government last week shows that comparable European countries frequently achieve better—often significantly better—outcomes than the UK on a range of measures, including gross domestic product per capita, inequality, poverty, business investment and productivity. Compared with those countries, many of which are smaller than or of a similar size to Scotland, Scotland under Westminster control is being held back. The damage caused by Brexit will result in Scotland finding it ever harder to achieve that potential.

With the full powers of an independent country, we can of course deliver more. Scotland is blessed with an abundance of resources that, in many cases, the comparator countries lack. If all those countries can use the powers of independence to create wealthier and fairer societies, why cannot Scotland, with our vast energy resources; globally recognised record of innovation, invention and learning; exceptional food and drink industry; stunning natural heritage; strength in advantaged engineering and cutting-edge industries of the future; and, above all, the talent and potential of our people?

Independence will put the levers that determine success into our hands. Just like those other countries, we can fulfil the vast potential that we have and build the wealthier, fairer, happier country that we know is possible.

The Deputy Presiding Officer: If we are going to get through the questions, the answers are going to have to be significantly shorter.

Fife Economy

2. **David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government what action it is taking to support the economy in Fife. (S6O-01261)

The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee): Our national strategy for economic transformation contains a specific action to realise the potential of the different economic and community assets and strengths of Scotland's regions. The delivery plans for the strategy's programmes will take full account of different regional circumstances across the breadth of Scotland, including for Fife.

We also support Fife's inclusive economic growth through the Tay cities region deal programme and the Edinburgh and south-east Scotland city region deal programme. Furthermore, Fife receives funding from the placed based investment programme, the regeneration

capital grant fund and the vacant and derelict land fund.

David Torrance: It has been great to see Fife embracing Scottish Government initiatives such as developing the young workforce, which is the national strategy for strengthening links between business and education. Does the minister agree that the link between schools and employers to engage, inform and inspire our young people is proving to be instrumental in helping to support our young people to prepare for the world of work in our developing local economies?

Ivan McKee: Developing the young workforce has a strong track record of delivering positive outcomes for young people and employers. I agree that our network of employer-led DYW regional groups is pivotal for connecting young people with career inspiration and work experience to prepare for the world of work, including, of course, in Fife, where the regional group is championed by chair Bob Garmory.

We delivered our commitment to implement DYW school co-ordinators in every mainstream secondary school in Scotland. That additional in-school resource helped to create in excess of 195,000 young people and employer engagements in 2021-22. It is our ambition, as set out in "Scotland's National Strategy for Economic Transformation", to establish Scotland as a world-class entrepreneurial nation. DYW regional groups are working with Young Enterprise Scotland to increase the number of secondary schools and young people, including those with additional support needs, who participate in their school programmes.

Alexander Stewart (Mid Scotland and Fife) (Con): Last month's announcement of the £30 million dry dock maintenance contract awarded by the United Kingdom Government to the Babcock Rosyth facility will sustain 300 jobs and further benefit the wider Fife economy. Does the minister agree that that illustrates the benefits that Fife and the whole of Scotland derive from continued membership of the United Kingdom, and that it would be extremely damaging to undermine that relationship?

Ivan McKee: As I said in my answer to the previous question, Scotland is held back by being a member of the United Kingdom. The data on comparator countries—*[Interruption.]* The members on the benches opposite really need to take a hard a look at themselves and ask themselves why those other countries do so much better than Scotland without the natural resources, talent and industries that we have, and why the UK Government and membership of the UK are holding us back from achieving our potential, as demonstrated by those comparator countries. *[Interruption.]*

The Deputy Presiding Officer: We do not need the backing singers from either side to be lobbying in.

Willie Rennie (North East Fife) (LD): The minister will know that only eight of the 54 turbine jackets for the Neart Na Gaoithe wind farm in the Forth are being built in the yard in Methil. That is a pathetically small number. What are the investment plans for the yard, so that it is ready to win future orders for more jackets for the next offshore wind farm?

Ivan McKee: The member will—or should—be aware that I co-chair the Scottish Offshore Wind Energy Council, which works closely with the sector to understand what needs to be done to put Scotland's supply chain in a competitive position to win business for the impending ScotWind round. The member will also be aware that developers that are taking part in ScotWind—my colleague Michael Matheson is leading that work—have committed to spend £25 billion in Scottish content as part of that.

A huge amount of work is happening with the sector to ensure that the Scottish supply chain has the capacity and the capability to take advantage of ScotWind and other renewable energy opportunities.

Pay Levels

3. Mercedes Villalba (North East Scotland) (Lab): To ask the Scottish Government what steps it is taking to improve pay levels in the Scottish economy in light of the reported findings of the Office for National Statistics that United Kingdom annual growth in regular pay, excluding bonuses, fell by 4.5 per cent after adjusting for inflation. (S6O-01262)

The Minister for Just Transition, Employment and Fair Work (Richard Lochhead): Households and businesses across the country are facing a serious cost of living crisis, and where we have responsibility, we are acting. Our fair work policy promotes fairer work practices, including on pay. Scotland has proportionately five times more accredited living wage employers and, on average, public sector wages are 7 per cent higher here than they are in the rest of the United Kingdom. We have continued to provide fair and affordable pay awards, in contrast to a pay freeze in 2021-22 for most public sector workers in England for instance

The 2022-23 public sector pay policy targets the lowest paid, introducing a new Scottish public sector wage floor of £10.50 an hour, representing a 10.5 per cent increase on this year's national minimum wage.

Mercedes Villalba: The latest ONS findings reveal that average wages in the UK are falling at

the fastest rate for more than two decades. Last week, the First Minister told Parliament:

“I want all public sector workers to get the fairest possible pay increases, particularly at this time of soaring inflation.”—[*Official Report*, 16 June 2022; c22.]

However, the Scottish Government’s pay policy is pitting different areas of the public sector against one another. It is clear that the policy is no longer fit for purpose. Will the minister outline what urgent action the Scottish Government is taking to support all public sector workers through the cost of living emergency?

Richard Lochhead: I think that the member heard Keith Brown’s earlier answer explaining how the Scottish budget that the UK Government allocates does not take inflation into account. Understandably, workers across the Scottish economy are looking for inflation to be reflected in their pay negotiations. Those two positions cannot be squared.

The member mentioned UK figures. Ultimately, this issue is the UK Government’s responsibility, but it is more interested in going to war with the trade unions at the moment, to appeal to its base vote, than it is in sorting out the many serious situations that face workers not just in Scotland but across the UK.

I have just outlined that the Scottish Government has adopted a progressive public pay policy compared with other parts of the UK. We will continue to keep the matter under review. However, we need UK Government support and the Scottish budget to reflect the challenges that we are facing from inflation.

Budget (Infrastructure)

4. **Sue Webber (Lothian) (Con):** To ask the Scottish Government whether it will provide an update on how much it is allocating in its budget for infrastructure plans. (S6O-01263)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): The Scottish Government’s capital budget for this financial year provides more than £6.4 billion of capital investment. All future final spending commitments will, of course, be outlined during the annual budget process in the usual way.

Sue Webber: The Scottish National Party Government has admitted that it will not be able to fulfil all its infrastructure plans, despite the promises to dual roads such as the A9 and A96, which are essential upgrades for local residents and businesses.

The SNP has mismanaged the economy and it has wasted obscene amounts of Scottish taxpayers’ money. We are all familiar with the £250 million spent on ferries that will not sail. In

Edinburgh, £12.2 million has been spent so far on the Hardie tram inquiry, with no date yet for its publication. It is a wonder that the Government has any money left for essential infrastructure upgrades. How can the SNP justify cuts to infrastructure projects that are critical to economic recovery when it continues to preside over such waste and overspending that has yet to deliver anything for Scotland?

Kate Forbes: I wonder whether Sue Webber could answer the question as to who will preside over the slowest economic growth in the G20 bar Russia over the coming years or who is presiding over the highest levels of inflation in the G7 right now. I think that she will find that it is a lot closer to home.

We have received a lower-than-expected capital settlement from the United Kingdom Government’s spending review: £15.8 billion compared with £16.6 billion over the next few years. That clearly reduces the capital funding envelope. Despite that, we have outlined our targeted investments over the next two years, which we are committed to delivering.

The Deputy Presiding Officer: There are a number of supplementaries. I will try to get through as many as possible, but they will need to be brief, as indeed will the responses.

Kenneth Gibson (Cunninghame North) (SNP): Will the cabinet secretary advise members what impact the UK Government’s cut of 9.7 per cent to the Parliament’s capital budget in the coming financial year is having on the Scottish Government’s investment in infrastructure at a time of rocketing inflation?

Kate Forbes: The member is right to talk about rocketing inflation, which is, again, being presided over by the Conservatives. Within the constrained envelope of capital that we have received, which puts significant pressure on our capital programme, we have continued to invest, knowing that, ultimately, investing in construction and infrastructure is one way to manage the economic outlook at this hugely challenging time.

Liam Kerr (North East Scotland) (Con): Last week, Liz Cameron, the chief executive officer of the Scottish Chambers of Commerce, said that the Scottish Government should honour the commitment that the A96 would be dualled from start to finish. However, the A96 corridor review references only dualling from Inverness to Nairn. The consultation, which closed on 10 June, contained more than 100 questions—not one mentioned dualling between Huntly and Aberdeen. Will the Government honour its promise, which was made more than a decade ago, to dual the A96 from start to finish, or betray the north-east yet again?

Kate Forbes: As somebody who regularly drives on the A96 and the A9, I state that we are committed to improving the transport infrastructure throughout Scotland. The revised capital spending plan that I mentioned includes £1.9 billion of investment in motorways and trunk roads.

We are absolutely committed to completing the dualling of the A9—I know that that is not the question that the member asked—and to fully dualling the A96 between Aberdeen and Inverness. Obviously, we have agreed to conduct a transparent, evidence-based review of that programme. That is under way and will report by the end of 2022.

We could do those things much faster if we had more capital funding and it was not being cut at every budget.

The Deputy Presiding Officer: I apologise to members who I was not able to get to for supplementaries.

Resource Spending Review (Children and Young People's Rights)

5. Monica Lennon (Central Scotland) (Lab): To ask the Scottish Government how its resource spending review publication, "Investing in Scotland's Future", will ensure that children and young people's rights to food, education and fun will be met. (S6O-01264)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): The resource spending review outlines how we will focus public spending in the coming years, including by delivering our investment in education and skills. That is where the funding comes from for early learning and childcare, play opportunities and education. We will continue to deliver the measures that we have set out, and that will be updated in next year's budget.

Monica Lennon: At the weekend, Roz Foyer, the general secretary of the Scottish Trades Union Congress, said:

"Child hunger is a political choice. We need to see the political will to fix it."

Will the cabinet secretary give any further indication of the level of investment that is being made available to expand access to universal free school meals for primary 6 and 7 pupils and into secondary schools? Child hunger and child poverty do not stop at the gates of primary schools.

Kate Forbes: The member is right to quote the STUC and make the point that she has just made. She will be aware that pupils in primary 1 to 5 and in special schools already benefit from the offer of universal free school lunches during term time as well as there being investment in holiday food

provision. We have set out our commitment to the expansion of free school meals further, and our commitment for next year will be updated in next year's budget.

Ruth Maguire (Cunninghame South) (SNP): Will the cabinet secretary provide any further information about how measures to reduce the cost of the school day will be supported by investment presented in the resource spending review?

Kate Forbes: It is right that, alongside providing free school meals, we are investing significantly in reducing the cost of the school day, including by supporting families with children. That includes funding the school clothing grant, removing curriculum charges and providing free music tuition, to name just a few policies, although others have been allocated resources in this year's budget. That investment will continue next year.

Audit Scotland (Budget)

6. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government how the reported proposed real-terms cuts to the budget of Audit Scotland could impact on its work. (S6O-01265)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): As the member should know, although his question suggests that he might not, the Scottish Government has no role in setting the level of Audit Scotland's funding from the Scottish budget; its funding is agreed directly with the Parliament. Audit Scotland's funding for next year and for future years will be set in the normal way, through the annual budgeting process.

Murdo Fraser: The Scottish Government's spending review, which was published just two weeks ago, delivers an indicative £1 million real-terms cut to Audit Scotland's budget. Perhaps even more concerning are the reported comments in the media from senior Scottish National Party figures about "clipping the wings" of Audit Scotland. One source is quoted as saying:

"Audit Scotland has become too powerful. This has been talked about in government for years now."

It would be atrocious if the Government tried to emasculate the very body that is doing such an effective job of shining a light on its failures. Does the cabinet secretary agree that we need to strengthen Audit Scotland, not try to cut it back?

Kate Forbes: What is atrocious is deliberately misleading on the facts. Members do not need to listen to my words on the issue; they can listen to the Audit Scotland spokesperson, who said:

"Our costs are met through a balance of the funding we receive from the Scottish Parliament and ... audit fees".

The member might think that we should not let facts get in the way of a good headline, but the facts are pretty clear: the Parliament, not the Government, sets the budget.

The Deputy Presiding Officer: I call Daniel Johnson, but this question must be shorter than his previous supplementary question.

Daniel Johnson (Edinburgh Southern) (Lab): A further 7 per cent cut would take the total cuts to Audit Scotland's budget since 2006 to 25 per cent. If Audit Scotland receives that cut, does the cabinet secretary expect the quality of its audits to go up or down?

Kate Forbes: Here we go, with more misleading on the facts. Audit Scotland is independently funded through the Scottish Parliament and the audit fees that public bodies pay it. Audit Scotland's budget for next year will be set through the annual budgeting process in exactly the same way as its budgets have been set for years. Audit Scotland indicates to the Parliament the funding that it needs, and the Scottish Government accommodates that in the budget. Those are the facts.

Scottish National Investment Bank

7. Stephen Kerr (Central Scotland) (Con): To ask the Scottish Government what its response is to the report published by Reform Scotland describing the Scottish National Investment Bank as "unfocused and ill-conceived", having a "strategic deficiency" and recommending that the bank be "reset". (S6O-01266)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): I assume that the member is referring to the report that also states that the bank

"is exactly the kind of big, ambitious policy experiment that Holyrood should be embarking on".

To date, within the first 18 months of its establishment, the bank has delivered investment commitments of more than £200 million to 16 projects across all three of its missions.

Stephen Kerr: There are selective quotes and there are selective quotes, and that is an incredibly selective quote. Reform Scotland says that it is all a bit messy. The bank has had 81 priorities set for it by ministers—how it is possible to have 81 priorities is completely beyond me. Given that the Scottish National Party Government has anything but a stellar record when it comes to industrial strategy—trains, airports, smelters, fabrication yards, green jobs and ferries come to mind—does the cabinet secretary agree that the best thing that the SNP Scottish Government could do is accept that, when it comes to these

things, it is out of its depth and should just let the bank get on with setting its own priorities?

Kate Forbes: In fact, our views are probably not too dissimilar, because the bank is operationally independent. Ironically, every time a member of this Parliament does not like what the bank has done, they ask me what I will do about it. I will allow the bank to continue to make investments according to its three missions—on net zero, on place and on innovation—which were, I think, agreed on a cross-party basis. Despite the bank being, in essence, a start-up, money has gone out the door and there is a pipeline of investable propositions. I think that the bank has done a remarkable job in its first two years.

The Deputy Presiding Officer: We have a very brief supplementary question from Evelyn Tweed.

Evelyn Tweed (Stirling) (SNP): As the cabinet secretary has indicated, Reform Scotland's report notes that the Scottish National Investment Bank

"is exactly the kind of big, ambitious policy experiment that Holyrood should be embarking on".

Does she agree that Opposition members could do with sharing in that ambition to realise Scotland's economic potential and should wake up to the fact that we could do so much more to develop our economy with the powers of a normal, independent country?

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

Kate Forbes: The regular headlines about Scotland's economic performance demonstrate that we are attracting investment, making progress and ensuring that there is long-term economic growth. We have already seen how small countries that are very similar in nature to Scotland, such as Sweden, Ireland, Denmark and Finland, use their powers of independence to achieve economic success. We could do the same.

Budget (Courts and Prosecution Service)

8. Pauline McNeill (Glasgow) (Lab): To ask the Scottish Government what its response is to reports that any real-terms cuts in its budget may impact most on the courts and prosecution service. (S6O-01267)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): We continue to deliver reform across the justice system, responding to the needs of individuals and making more than £50 million available annually for recovery and reform. In the current financial year, we have increased the resource budget for both the Scottish Courts and Tribunals Service and the Crown Office.

However, as the member will know, we can allocate only the funding that current forecasts determine that we will receive. We are currently contending with a 5.2 per cent real-terms reduction in this year's budget, and the Scottish Fiscal Commission's analysis demonstrates that our total funding is expected to be 1 per cent lower again, in real terms, for the next three years.

Pauline McNeill: Reports suggest that the courts and the prosecution service will bear the brunt of public sector job cuts after the announcement of a real-terms budget cut that the cabinet secretary previously mentioned. That is despite the fact that the justice system is already struggling to deal with the effects of the pandemic.

The cabinet secretary will be aware that the backlog involves 40,000-plus cases and that it affects victims, in particular. Allan Simpson, the national officer for the FDA trade union, which represents staff at the Crown Office, has said that

"There is no fat to cut"

and that

"Staff are already working at maximum capacity".

I believe that the cabinet secretary is on record as saying that we may lose up to 17,000 full-time jobs. How many jobs does she expect to lose in the justice sector with cuts of this level?

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

Kate Forbes: With the investment of an additional £50 million in 2021-22 to support dealing with the backlog, as well as funding this year of a further £53.2 million, we are doing all that we can, through funding and other means, led by my colleague Keith Brown, to reduce the backlog and get back to where we were. We have also extended funding to remote jury centres for an additional three months to support the transition back to having juries in court.

I think that we all agree that dealing with the Covid backlog is critically important. We will obviously update the budget when we come to next year's budget, in line with the normal processes.

The Deputy Presiding Officer: That concludes portfolio questions.

Deaths in Custody

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a statement by the Cabinet Secretary for Justice and Veterans, Keith Brown, on deaths in custody. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

14:53

The Cabinet Secretary for Justice and Veterans (Keith Brown): In November 2019, my predecessor commissioned an independent review into the response to deaths in prison custody, in recognition of the need for increased transparency and better engagement with families following a death in custody. The review report was published on 30 November last year. On that date, I made a statement accepting in principle all the recommendations that were made by the review. I also made a commitment to provide Parliament with an update on progress made against the recommendations by summer 2022, and I will now honour that commitment.

I wish to begin by refreshing members' memories of the purpose of the review. Its primary aim was to make recommendations on areas in which improvements can be made in the immediate response to deaths in prison custody by the Scottish Prison Service and the national health service, including deaths of prisoners while in NHS care. The review did that and, most importantly, it highlighted ways in which the response to, and experiences of, families could both be made more consistent and improved, so as to provide prompt answers, transparency and compassion.

The review recommended that two pillars of trauma-informed practice should underpin every interaction with families, at all points along the justice journey, including when a family experiences bereavement through the death of a loved one in SPS care. The two pillars are choice and control. It is my absolute commitment that choice and control, as well as compassion and transparency, will be woven into our justice system so as to better deliver for families.

At the beginning of this year, I held a round table with key agencies and family members who had provided expert views and lived experience to the review, to map what needed to be done to deliver on the recommendations and to gain agreement from all to make the necessary changes at pace. It was agreed by all that there were real benefits to the work being externally led.

In April, I appointed Gillian Imery, formerly Her Majesty's chief inspector of constabulary, as an

external chair to provide independent oversight and leadership for the implementation of all the review's recommendations. Ms Imery has already met with all relevant stakeholders, and has established a deaths in prison custody action group to oversee and drive forward the programme of work that is necessary to make the suggested improvements to operational practices and to meet the recommendations. The group met for the first time yesterday. Agencies have already indicated early changes to the way that they respond to families and handle deaths in custody internally, with a commitment to making longer-term improvements over the coming few months.

I also met with Ms Imery yesterday, in the first of a series of regular progress updates with her, and I am assured that improvements are being implemented by all agencies. The external chair has committed to publishing a written update in November this year. That will provide on-going transparency to all the important work that is being progressed across this policy area.

I move on to improvements that are being made by agencies. The SPS is piloting an electronic form that allows family members to flag any serious concerns that they might have about the health and wellbeing of a loved one in prison. The form and its submission process have been user tested by third sector partners and prison monitor co-ordinators, which has identified that mental health concerns and suicidality are readily flagged, but physical health concerns are not. The form has therefore undergone additional refinement and will be further tested for efficacy.

The SPS is also seeking to improve early access for prisoners to emergency bells, and for staff to equipment such as ligature cutters and privacy screens. Those practices are being reviewed, and in some instances they have already been actioned. Privacy screens are now in place in the majority of prisons, with the remainder in train to be put in place. Active consideration is being given to the best model for ensuring ready access to ligature cutters, and I am confident that that will be resolved in the very near future.

The SPS is in agreement with the review's recommendation that prison governors should be the next point of contact with families, after the police, as soon as possible after a death. It has already implemented that as best practice in a number of establishments.

In relation to NHS improvements, the NHS has taken the lead on developing a suite of training packages for NHS and SPS staff, including ones that equip staff with coping skills for responding to deaths in custody. They have also developed a process whereby prison nurses can provide confirmation of death, thus reducing the pressure on the Scottish Ambulance Service. That process

has already been cascaded to all health boards, and further training to prison nurses will follow as soon as possible. Linking to that, within the next two months, the NHS will have developed a pathway, agreed with the SPS, that outlines the responsibilities of healthcare and operational staff following a death in custody.

As the head of the systems of criminal prosecution and investigation of deaths in Scotland, the Lord Advocate has responsibility for the investigation of all sudden, suspicious and unexplained deaths. Any decision of the Lord Advocate in that capacity is taken independently of any other person. In my previous statement to Parliament, I explained that the key recommendation would complement the independent investigation by the Crown Office and Procurator Fiscal Service into the circumstances of the death, the information provided to families by the Crown Office in terms of the family liaison charter, and the subsequent fatal accident inquiry, which is presided over by the judiciary. It was made clear that the recommendation around the independent body does not, and should not, replace any of the current inquiry processes. The Lord Advocate agreed in principle with the recommendation, and the Crown Office is providing a contribution as a key stakeholder.

I turn to the key recommendation, which is that an independent investigation should be undertaken into each death in prison custody and carried out by a body that is wholly independent of the Scottish ministers, the SPS, the private prison operators and the NHS.

My officials have constituted a working group of key agencies, the remit of which is to design a gold standard investigative process to review each death, identify lessons to be learned, and provide prompt answers and a single point of contact to families. The Scottish Government and the Crown Office are working closely and collaboratively to ensure that the new approach functions seamlessly in tandem with, and parallel to, existing investigative processes that need to take place when a death in custody occurs. The group is furthermore considering options as to the most suitable independent public body to take on the new approach in the current fiscal climate.

In April, my officials held a round table with the ombudsmen and senior investigators of England and Wales, Northern Ireland and the Republic of Ireland, to hear from them how deaths in custody are investigated in their jurisdictions. The implementation of the key recommendation will bring us in line with those jurisdictions, and there are lessons to learn from them in relation to good practice and key areas to be improved on when we create our own approach. A key takeaway from that meeting was the need for our approach not

only to make recommendations but to have the statutory power to enforce them.

I want to ensure that changes that are made to processes when someone dies in custody are meaningful, that they meet families' expectations, and that they radically improve the response to families when the death of a loved one occurs in prison. However, it takes time to effect meaningful change and, in order for changes to have teeth, they might require to be made in statute, which is dependent on parliamentary timetabling.

It is imperative that, as we move at pace to improve operational processes, we do not lose sight of the fact that, at the heart, we are striving to improve our response to bereaved families. I want to be clear that I regard families as our most important stakeholders, as key consultants as we progress with implementing the recommendations and as co-designers of the new investigative process.

I am adamant that we will consistently deliver a trauma-informed and compassionate service only when we afford families the twin loci of choice and control. I wish to reiterate my commitment to giving that choice and control to families at each and every touch point with public agencies—Police Scotland, the SPS, the NHS, the Scottish Government and the Crown Office—when a family experiences loss through a death in prison custody.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues that were raised in his statement. I intend to allow around 20 minutes for questions, after which we will move to the next item of business. It would be helpful if all members who wish to ask a question pressed their request-to-speak button now.

Jamie Greene (West Scotland) (Con): I thank the cabinet secretary for advance sight of today's statement, and I thank Gillian Imery for the work that she has done on the issue. We as a Parliament should send our deepest condolences to the many families who have been affected by a death in custody in Scotland.

The statistics are truly shocking. Scotland has one of the highest rates of deaths in prison in Europe. This past year, 54 people sadly lost their lives in custody, which was a 60 per cent increase on the previous year. Behind every single number is a life lost, such as Calum Inglis, Steven Sweeney and Reese Fairgrieve, and who can forget the tragedies of Katie Allan and William Lindsay's deaths in Polmont? All of those deaths point to systemic failures around custody in Scotland.

I welcome the Government's commitment to implement the recommendations, especially that of an independent inquiry into each and every

death in custody. I have three specific questions for the cabinet secretary on his statement. First, given that deaths in custody are already subject to fatal accident inquiries, it is vital that there should be no delay in those taking place as a result of any new potential investigative processes. Will that be the case or not?

Secondly, given that, shockingly, FAIs take three or four years just to commence, and given that nine in 10 FAIs make no recommendations for improvements when they conclude, does the cabinet secretary back families' calls for much swifter commencement and resolution of FAIs, and more importantly, for them to result in meaningful change thereafter?

Finally, what steps will the cabinet secretary take to ensure that prison officers and families of the deceased are not retraumatised by the entire process of having to give evidence potentially multiple times to different inquiries?

Keith Brown: First, in relation to whether the FAI process might result in a delay—or, vice versa, whether the new process might result in a delay in FAIs—we have involved the Crown Office in all the discussions that we have had so far to try to avoid that situation. The Crown Office is a stakeholder in the various working groups that I have mentioned. It is about trying to make those two processes complement each other rather than get in front of each other. We are committed to doing that, and we are not doing it on our own but with the Crown Office.

The member also mentioned the need for swifter FAIs. Of course, that is for the Crown Office to answer, but it is committed to that and we have seen real progress on the matter in recent years, not least because of additional resources, particularly in relation to staff, which have allowed the Crown Office to further increase the pace at which FAIs are done. We are all aware of the one or two examples that have taken a very long time—I accept that point—but, generally, the picture is improving. It is for the Crown Office to take it forward.

On meaningful recommendations at the end of FAIs, again I cannot supplant the role of the Lord Advocate in that. However, I know that she is also seized of the need to make sure that meaningful actions come out of FAIs.

The member's final point was about the need to try to avoid prison officers and others being retraumatised. That is a good point, and I made the same point when the report first came out. We have to consider the impact on prison officers, because they can be traumatised just as much as anybody else by witnessing a death in custody. We are seized of the need to work on that. We are aware of the danger of the different processes

contributing to retraumatising, but we are trying to make sure that that issue is addressed as we work through the various workstreams that I have mentioned.

Pauline McNeill (Glasgow) (Lab): Scotland must have the highest standards of welfare and safety of persons who are detained in prisons and other facilities. As has been said, Scotland has an unacceptably high number of deaths in custody.

I welcome some of the commitments to improve the system, particularly by allowing families to flag up any serious concerns that they have about their family members' physical health. It was mentioned in the statement that mental health and suicidality are already flagged up, but I know of cases in which families have raised concerns about family members who are in prison and are in serious distress, and those concerns have not always been acted on with the right level of urgency. I want to be clear that that will be included when we look at setting up new systems. I also seek the cabinet secretary's assurance that families will be able to properly record welfare concerns.

I also want to ask about the pillars referred to in the statement. I would have thought that timely answers and timely information about the circumstances of a death in custody would have been an important principle to guide us in a new system. The independent report recommended "unfettered access" to information in the event of a death in custody, and I believe that the Government is committed to that. However, I will continue to ask what that will amount to. Will it ensure that families will be given access to information as the information unfolds? I am sure that the cabinet secretary will agree that one of the main purposes of changing the system is to give families full confidence in any new process that will correct the mistakes of the past. Families feel that information has been kept from them and that it takes far too long to get answers about deaths in custody.

Keith Brown: I think that Pauline McNeill's first point was about whether general health concerns rather than suicidality or mental health concerns are properly recorded. I tried to make the point that a new electronic process has been developed and, during the course of its development, it was found that it was not doing exactly what Pauline McNeill has asked for. That process is now being changed to make sure that general health concerns are also recorded.

On whether families can have full confidence in the process, that is what we are aiming to achieve, but we have something more basic to achieve before we get to that, which is to give families the courtesy of basic information whenever it is possible to do so. I am the first to concede that

that has not always happened in the past. That is our intention.

On time limits, which goes back to Jamie Greene's questions, it will be about trying to make sure that the two processes that might apply are dovetailed as far as possible. Our aim is to make sure that, especially in straightforward cases, the information that is available can be passed on to the family as quickly as possible. That is the intention. I also think that victims should have similar notification, and that has been addressed by some of the recommendations that the SPS has already taken forward by publicising on its website the fact that somebody has died in prison. Those are our aims and what we are trying to do.

The Deputy Presiding Officer: We move to questions from back benchers. I point out that we are already over the amount of time that was allotted to the two front benchers for their questions. I hope that that will not impact on back benchers.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): As the cabinet secretary and other members have said, it goes without saying that one life lost in custody is one life too many. Therefore, I ask the cabinet secretary to reaffirm that it is the Scottish Government's intention to treat this serious issue with all the sensitivity and priority that it deserves.

Keith Brown: That is exactly our intention. It has to be remembered that our prisons deal with some of the most vulnerable people in society, and there is no getting round the fact that, for most people, being put in prison is a traumatic thing to happen.

I am absolutely committed to making improvements to the response to, and the experience of families who are impacted by, a death in custody. It is a family member, not the family, who has been sent to prison. As Pauline McNeill said, we must provide them with prompt answers and ensure that a compassionate approach is taken. That is why we have commissioned independent reviews into the provision of mental health services to young people in Polmont prison and into responses to deaths in custody. As I have mentioned, I have appointed Gillian Imery as the external chair to oversee the work on the implementation of the recommendations.

Russell Findlay (West Scotland) (Con): Drugs kill far too many in society and in our prisons. The cabinet secretary previously said that he hoped to achieve drug-free prisons but, just this week, a senior boss at HMP Barlinnie said that drugs can never be eradicated inside. Indeed, prison officers tell me that they are often threatened by organised criminals to get them to smuggle drugs. Under the

new process, what support will be given to prison officers who find themselves involved in an investigation involving a drug death?

Keith Brown: I recently discussed that very issue with the governor of Saughton prison. I know that members of the Criminal Justice Committee have visited HMP Edinburgh, which has well-developed practices for supporting prison officers. However, that prison does not yet have the kind of body scanner that Barlinnie prison has, which, I am told, has been extremely effective. Through the use of such equipment, along with the photocopying of documents that is now being done in many of our prisons, real progress is starting to be made in reducing the incidence of drugs in prison.

Russell Findlay quoted someone at Barlinnie saying that it is impossible to eradicate drugs in prison. Regardless of whether that is the case, in that person's view, we must aim to eradicate drugs from our prisons. We must continue to train prison officers and to make sure that they have the support that they need. Often, the issue butts up against serious organised crime and people who are convicted for such offences, but I am content that, by pursuing the new technological opportunities that we have, we can make further progress in eradicating drugs from our prisons.

Rona Mackay (Strathkelvin and Bearsden) (SNP): What steps are being taken to improve the transparency of data on deaths in custody?

Keith Brown: We have undertaken a number of initiatives in relation to data. I have mentioned, in relation to advising people of such deaths, that information will be put up on the Scottish Prison Service website. We must make sure that that information is collated and that the data is used. That will be looked at by the working group as part of the work that is being done by Gill Imery, so I expect to be able to give more information on how we can improve data in a future statement.

Katy Clark (West Scotland) (Lab): The Sheku Bayoh inquiry, which, of course, relates to a police-related death, started taking evidence seven years after Sheku Bayoh's death. It is currently in the first of four stages, and I understand that it may take four years to report. How will the cabinet secretary ensure that the recommendations of that substantial inquiry are implemented?

Keith Brown: We always listen very carefully to any recommendations that are made by a public inquiry. To be fair, I think that all Governments do that.

The member mentioned the length of time that it has taken for the Sheku Bayoh inquiry to get to this stage. I understand that concern. Other concerns have been expressed to me about the

fact that people who are appointed to chair inquiries can sometimes be unwell, which causes delays.

As the member knows, such matters are not an issue for me. Public inquiries are independent, and we want to respect that independence.

Evelyn Tweed (Stirling) (SNP): The first death in custody since 2019 at Cornton Vale prison, in my constituency, is currently under investigation. I extend my condolences to the person's family and friends. What steps are being taken to minimise the risk of deaths in custody at Cornton Vale? How will the on-going rebuilding of the prison assist with that?

Keith Brown: We have set out bold and progressive plans for the new female custodial estate in Scotland. The plans include the smaller national prison in Stirling that the member mentioned, which will be built on the current Cornton Vale site and will accommodate around 80 women with the most complex needs, together with an assessment centre that is focused on identifying the needs of all women who come into prison custody.

Alongside the new facilities, we will adopt a new approach to working with women in prison. The SPS, in partnership with multidisciplinary teams, will work to create a recovery-based ethos that responds to the specific needs of women in custody. All aspects of the approach will be gender specific and trauma informed.

The SPS strategy for women is aligned with the national trauma training framework.

Liam McArthur (Orkney Islands) (LD): I thank the cabinet secretary for early sight of his statement, and I welcome the recommendation that an independent investigation should be undertaken into each death in custody.

Will the Government set a maximum threshold for how long families might wait for such a review to begin? What guarantee can the justice secretary give families, who often find it incredibly difficult to navigate legal proceedings of that type, that they will get the support that they need to be fully engaged, including universal access to legal aid?

Keith Brown: I am sorry, but I perhaps missed the start of the question. I am trying to understand which inquiry Liam McArthur is talking about. If his question related to the work that is on-going, we expect to report back to the Parliament in November, as I said. No inquiry process is related to that—unless the member was asking how quickly the matter can be processed when someone makes an inquiry. I am sorry that I did not catch the start of what he said.

If Liam McArthur's question related to support for families when there is a public inquiry, I can tell him that we look at such issues. For example, as the member knows, because he has written to me on this subject, assistance is provided currently in a public inquiry. We have a role in funding and facilitating public inquiries, to ensure that they have the most comprehensive possible information and witness participation. We will continue to do that. In relation to this process, we want the maximum possible access to be given to families who have suffered as a result a death in custody. That might be consistent with some of the things that I said previously.

If I misunderstood the member's question, I will be happy to get back to him.

The Deputy Presiding Officer: I call Ruth Maguire, who is joining us remotely.

Ruth Maguire (Cunninghame South) (SNP): [*Inaudible.*—the cabinet secretary's comments about families and accessibility and how people can—

The Deputy Presiding Officer: Sorry, Ms Maguire. The sound cut out at the beginning of your question. Could you start again, please?

Ruth Maguire: Thank you, Presiding Officer.

I appreciated hearing the cabinet secretary's comments on families, the importance of compassion and the steps that are being taken to increase accessibility.

Will the cabinet secretary update us on steps that are being taken to provide mental health support to people in prison, specifically with regard to suicide prevention?

Keith Brown: The safe treatment of mental health issues for all people in custody is a priority for our prisons, and the Prison Service takes the issue very seriously. We know that people in custody present with higher levels of risk and vulnerability than the general population as a whole, for reasons that I have mentioned—they often have complex mental health needs.

A cross-portfolio ministerial working group has been formed to identify issues that the justice system currently faces in relation to mental health and to consider ways to bring forward urgent and creative solutions.

The SPS has reissued revised "Talk to Me" guidance to all staff, to make clearer the circumstances in which a risk assessment and/or healthcare assessment should be carried out. The guidance remains in place and was in place throughout the pandemic.

The Deputy Presiding Officer: I call Maggie Chapman, who is joining us remotely.

Maggie Chapman (North East Scotland) (Green): I thank the cabinet secretary for prior sight of his statement, and I welcome his intention to implement the recommendations of the independent review.

One purpose of the new process of independent investigation is to improve the experience of the families of people who die in custody. That is vital. Another purpose must be to learn lessons about how to prevent future deaths in custody. Can the cabinet secretary say how any learning from the new process will make its way into appropriate changes in policy, practice or operations, to prevent future deaths? Will he also say what we can do to ensure that independent investigations and FAls are held in a timely manner?

Keith Brown: I assure the member that the people concerned—Gill Imery and HM Inspectorate of Prisons for Scotland—are well versed in the current situation in prisons and are well seized of those issues, but there is more work to be done on mental health issues, as I have just mentioned.

The member also mentioned the role of families. When I met the families, I was impressed with the knowledge that they had—first-hand lived experience of sometimes very traumatic events. We want to make sure that the lived experience of those families informs the new ways in which we can try to prevent further deaths in prison.

Jackie Dunbar (Aberdeen Donside) (SNP): We know that a preventative and supportive approach, and not a punitive one, is the best way to ensure that people in Scotland do not come to harm while in custody. Does the cabinet secretary agree that people in custody must have full access to mental health care and support, and will he outline how the Scottish Government is achieving that objective?

Keith Brown: I imagine that there is unanimity in the chamber that those who are in prison should have the same level of care, whether for mental health or physical wellbeing, as those who are not in custody. We made that clear in our mental health transition and recovery plan, which was published in October 2020. I have already mentioned the ministerial working group.

In addition, the SPS is working in partnership with mental health experts to co-produce a revised mental health strategy for those in custody, which will be informed by a suite of health needs assessments on prisons, including one on mental health, which will be published by the Government later this year. The SPS is also working in partnership with NHS prison healthcare colleagues to ensure that due consideration is given to pre-liberation planning that will support transfer of care on release. That is about throughcare and a

consistency of support for people who can be extremely vulnerable when they are in prison and when they are first released.

Tess White (North East Scotland) (Con): It is reassuring to hear the cabinet secretary state that active consideration is being given to the best model for ensuring ready access to ligature cutters, which are a hugely important preventative piece of equipment that can save lives. In Scotland, SPS staff have to collect ligature cutters from a communal area; in England and Wales, they have been introduced for all front-line staff. The cabinet secretary likes to use the phrase “at pace”, so when will that vital tool be made accessible?

Keith Brown: I have already made clear the pace at which we are considering that issue in prisons. In some cases, the issue is currently being dealt with, but I think that it is fairly obvious to most people that the presence of ligature cutters could also represent a threat in a prison environment. The fact that the SPS, Gill Imery and all those concerned are trying to do this in a way that maximises the safety of staff and prisoners shows that that is the right approach. The issue is being dealt with in many prisons, and they are not waiting for the further review that I mentioned or the further update. I am sure that it will be rolled out in a safe way in all prisons in due course.

The Deputy Presiding Officer: That concludes the statement. I will allow a short pause before we move on to the next item of business, in the event that front-bench teams wish to change places.

Retained European Union Law

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a statement by Angus Robertson on retained European Union law. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

15:23

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): I wish to make a statement on the United Kingdom Government’s so-called Brexit freedoms bill, which will have a profound and, sadly, a damaging impact on this Parliament and Scotland as a whole.

The people of Scotland rejected Brexit by a margin of 24 per cent, and there was a majority for remaining in the EU in every local authority area in Scotland. Nevertheless, in February this year, the UK Government published a document extolling what it called the benefits of Brexit. At the time, I noted to members of the Constitution, Europe and External Affairs Committee the profound absence of Brexit benefits for people and businesses in Scotland. Indeed, the disbenefits were all too evident. Polling shows that 75 per cent of people in Scotland have a negative opinion about whether the UK has benefited from Brexit, and only 2 per cent believe that Boris Johnson has delivered a good deal.

Five months on—and with the Brexit freedoms bill potentially imminent—we find ourselves in an even more desperate situation; we are in the midst of a cost of living crisis. The think tank UK in a changing Europe says that Brexit has led to a 6 per cent increase in food prices. The Centre for European Reform reports that the UK economy was 5 per cent—or £31 billion—smaller than comparator economies at the end of last year, primarily because of Brexit. Scotland’s total trade with the EU was 16 per cent lower in 2021 than in 2019, with food exports down by £68 million.

Now, with the UK in real danger of entering recession, and in the middle of the cost of living crisis, the Tory Government at Westminster seems intent on provoking a trade war with the European Union by tearing up an international agreement that the Prime Minister had hailed as a fantastic moment.

Therefore, despite much searching by the UK Government’s so-called minister for Brexit opportunities, the only thing to have changed since February is that the disbenefits of Brexit are now more pronounced.

Although Mr Rees-Mogg has been on his feet this afternoon in the House of Commons—hopefully providing the clarity that we have not yet received—the UK Government has declined to share the Brexit freedoms bill instructions with us, or provide any settled certainty of its policy intentions. Regardless, we should be under no illusion about the risk that the legislation presents to Scotland. We understand that the bill will end the supremacy of European law and repeal or reform regulations on business. The danger is now greater than ever of a race to the bottom, inspired by a hard Brexit.

Beneath the froth of crown marking on pint glasses and the adoption of imperial weights and measures, the UK Government's intention to turn away from EU laws should trigger real concern for businesses, members of this Parliament and all those who hold dear the standards that the EU helped to embed in our society.

More than 2,000 pieces of legislation, which were carefully influenced or possibly proposed by the UK Government as a member state over 50 years, must be made to go through a legislative process or, according to media reports, will simply “sunset” and fall away from the statute book entirely.

There is no understanding in Whitehall about how much of that legislation falls within devolved competence. I have had a look at Jacob Rees-Mogg's statement, in which he makes no mention whatsoever of the devolved consequences of his announcement. There is no desire to understand the consequent implications for devolved powers or legislation.

Apparently, those changes are to be made by 2026 or 2030—dates whose sole rationale is that they make good public relations as an anniversary of the Brexit referendum or the end of the transition period. They are not driven by the magnitude or importance of the task, or by the availability of time in this Parliament, the Senedd, Stormont or Westminster. The dates take no account of the fact that, as a direct consequence of the hard Brexit that the UK Government has chosen to prosecute, there is no Executive in place in Northern Ireland. Instead, yet again, the bill is driven by the same blind ideology that caused so much damage to Scotland in the first place.

The truth is that the pace of the exercise threatens parliamentary scrutiny and workloads. The UK Government is tilting at the windmills of EU standards, when it would be better advised to cease undermining the Northern Ireland protocol, an action that blocks implementation of the EU-UK trade and co-operation agreement, and causes our continued exclusion, for example, from the horizon Europe research programme.

There is little to no appropriate consideration of the bill's impacts—intended or otherwise—of doing away with the regulations and case law that have driven the high standards across Europe and from which we benefit.

The UK Government has said that it wants the Brexit freedoms bill to “utilise regulatory freedoms” by “lightening their burden” on UK businesses. Its main purpose appears to be to give the UK Government the freedom to abandon the legislation that has protected Scottish interests for almost 50 years.

The bill will create uncertainty for business and threatens to fire the starting pistol in a race to the bottom on standards with regard to food, the environment, animal and plant health, and workers' rights.

The bill is a threat to devolution. Taken alongside the powers of the UK Internal Market Act 2020, devolved competences will be disastrously exposed and undermined by a UK Government that is searching for an answer to the self-inflicted pain of Brexit.

Our policy of aligning with EU standards will be at risk. The common frameworks process, which is designed to manage divergence and alignment, looks to be side-stepped or ignored completely.

Sensible standards and regulations will be kept only if they are re-enacted through this Parliament, and they will then be only temporarily protected if the 2020 act is directed to undercut them.

We do not yet know the exact implications for this Parliament's legislative programme, as we have not been provided with the necessary detail. However, we know that, if we want to maintain the legislation, we will have to find a great amount of Government and parliamentary time.

When I met the minister for so-called Brexit opportunities, I was assured by him that the Sewel convention would be respected. If that commitment is to be honoured, it would mark a departure from the UK Government's approach during the Brexit process, when it has repeatedly legislated on devolved matters despite this Parliament refusing its consent to do so.

An approach that “sunsets” EU law—which would see legislation automatically fall if unamended by a fixed deadline—takes no account of our priorities or our interest in staying aligned with EU legislation. It is unacceptable that the UK Government seems ready to unveil sweeping measures that could have profound consequences for Scotland with such little discussion with or indeed respect for this Parliament, the Scottish Government or the people of Scotland. This makes a mockery of the UK Government's recent

commitment to reset relationships with the devolved Governments.

I said that the minister of so-called Brexit opportunities has been searching for the benefits of Brexit since at least February. That has included the attempt to crowdsource ideas from the public via the media, presumably in the absence of suggestions from Whitehall departments.

The disaster of Brexit is becoming ever more apparent, and the attack on this Parliament by a UK Government that was comprehensively rejected by the people of Scotland is gathering pace. The question for all of us here is whether we are prepared to put up with this unfolding catastrophe, which is being imposed on Scotland against its wishes and interests, or whether we say that enough is enough and forge a better future for everyone who lives here.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions.

Donald Cameron (Highlands and Islands) (Con): I have sat through many ministerial statements, many full of details and statistics, many with policy announcements and many with something that, as an Opposition MSP, one can get one's teeth into, but never have I sat through a statement so thin, so devoid of detail and so empty of substance as this one. No new information has been imparted; it is essentially one long complaint about Brexit, and that is it. There is no UK bill; it has not been published yet. The cabinet secretary has no idea what it contains. He knows that discussions between devolved Governments and Cabinet officials are on-going and it is at the discretion of devolved Governments to decide how they deal with retained EU law that is devolved. However, the Scottish Government might just have waited for the UK Government to set out its position and publish legislation, and then the Scottish Government could have come to the chamber with a properly researched and argued response, underpinned by the facts.

The cabinet secretary speculates that the bill will create uncertainty for business. Does he agree that what is really creating uncertainty for business and for people across Scotland is his Government's own "blind ideology", to use his phrase—its obsession with independence and another divisive, polarising referendum?

Angus Robertson: I disagree with much of what the Conservative spokesman has said on this issue, but I can agree with him on one thing—it is about the need for information. The UK Government should be sharing information on a measure that will have a profound impact on this

Parliament and its ability to deal with business. However, to give just one illustration of the situation, I have had one meeting with Jacob Rees-Mogg on this subject. He travelled all the way to Edinburgh, he asked to meet me, and then he could not be bothered to make the last 200m of the journey to come to Scottish Government office buildings and discuss what was being planned. He could not even tell me how many of the laws that he was planning to "sunset" by some arbitrary deadline—as the media has reported—will impact on the devolved settlement.

In that respect, Donald Cameron is absolutely right in his point about needing information; the amount of information that has been shared with the Scottish Government has been woeful. It follows an all too familiar pattern from the UK Government of little to no detail on proposed legislation beyond what can be gleaned from the media; broad assurances that devolution will be respected, with nothing on how that will be ensured; and performative engagement, rather than a genuine attempt to engage on policy substance or a willingness to adjust proposals to reflect the Scottish Government's concerns.

I would have thought that that should concern every member of the Parliament across all parties—it is disappointing that that attitude is not to be found among members on the Conservative benches.

The Deputy Presiding Officer: I remind members who wish to ask a question to please check that they have pressed their request-to-speak button.

Sarah Boyack (Lothian) (Lab): I thank the cabinet secretary for advance sight of his statement.

I am equally disappointed with the ideology behind Brexit and with the UK Tory Government's thoughtless dishonesty, which has impacted people in Scotland and right across the UK. We need to protect the Sewel convention and our devolution settlement. There is an irony that we have two Governments that are promoting their ideologies and seeking to divert attention away from their failures and their lack of support for our constituents, who are experiencing a massive cost of living crisis.

Scottish Labour supports aligning with our EU neighbours, protecting our labour, consumer and environmental standards, and enabling trade with our neighbours. We made those points in the recent debates on the European Union (Continuity) (Scotland) Act 2021 and the United Kingdom Internal Market Act 2020.

As the cabinet secretary has admitted, his statement is light on content and, as he said, hard work needs to be done to protect our constituents

and businesses from the damage and the uncertainty that have been, and will be, created by Brexit. What is the cabinet secretary doing now to identify how he uses our Parliament's devolved powers to the max in order to protect labour standards, to incentivise our businesses to produce products that protect consumer rights and that meet standards of health and safety, and to deliver the environmental standards that we need? Although that will involve a huge amount of work, as the Constitution, Europe, External Affairs and Culture Committee acknowledged, we need to monitor and track what is happening with alignment with the EU both at the EU level and, it appears, at the UK level. Those are the practical things that I would like to hear from the cabinet secretary about in terms of his action plan.

Angus Robertson: I thank Sarah Boyack for her questions and the positive way in which she has put them. I welcome the Labour Party's commitment to protect the Sewel convention and to protect standards.

Sarah Boyack is absolutely right that we look at all means that are at our disposal to be able to protect those safeguards. She will understand what is involved in that, given the paucity of information that we have had from the UK Government—save for the mention of the quantum of the legislation that is being envisaged, which is more than 2,000 pieces of legislation.

Let us say for the sake of argument that the Parliament agrees that it will decline to give legislative consent for that UK Government's measure. Unfortunately, our experience thus far in the Brexit context is that the UK Government overrides the Sewel convention. If that is the case, we will have to use a lot of parliamentary time to find ways of being able to protect and maintain the safeguards that have existed through EU legislation.

We are right at the beginning of that process. I say to Sarah Boyack that she is absolutely right to highlight that that is the key challenge for us all. We have been trying to find our way through it, together with colleagues in the constitution committee, and have been looking at how we have been able to remain aligned with the EU thus far.

What we need to do now is of an order of magnitude that is far beyond that, and a lot of work will have to go into that. I look forward to working across the chamber to make sure that we use all the powers that are our disposal, as a Parliament and as a Government, to protect and retain the benefits of the safeguards that have been legislated for in an EU context.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): The cabinet secretary referred in his statement to the bill

impacting on devolved nations, without any prior discussion. The Brexit freedoms bill seeks to "lighten the burden" on businesses. Does the cabinet secretary share my concerns that that translates to undermining workers' rights and protections? As employment law is not devolved, how can this Parliament ensure that those areas remain protected?

Angus Robertson: Christine Grahame is absolutely right to home in on the specifics of different aspects of European Union law that we have enjoyed and that we value as a society. We have the EU to thank for some of our most cherished employment rights, including basic fundamentals such as written terms and conditions and equal pay.

Those rights are now at risk as a consequence of the UK Government's reckless drive to heap yet more misery on millions of working families across this country. Creating the conditions for our citizens to secure safe and fairly paid work is not red tape; it is an essential requirement of every responsible Government.

At this stage, we simply do not know what the UK Government intends to do with employment rights in the future, as it has not told us—and it has clearly not told members on the Conservative front bench in this Parliament either. However, we know that the minister for so-called Brexit opportunities—I should always take the opportunity to say that—has said today that he might wish to retain only dozens of the 2,400 laws that have been identified. Therefore, there is a real risk that protections for workers might be undermined by the powers that are to be provided to UK ministers through the Brexit freedoms bill.

Sharon Dowey (South Scotland) (Con): When it comes to gene editing, the Scottish National Party has shown that it is perfectly capable of diverging from the UK standard and, potentially, from the future EU standard, which unnecessarily and unfairly punishes Scotland's farmers for no good reason—even the Government's own chief scientific adviser agrees. Does the cabinet secretary agree that he should give the situation a serious rethink and stop holding back Scotland's farmers?

Angus Robertson: Frankly, that has absolutely nothing to do with my statement, and I am sure that I would be rebuked for going down highways and byways that have nothing to do with—

The Deputy Presiding Officer: Cabinet secretary, perhaps you could extract the general point that was being made and briefly respond to that.

Angus Robertson: The general point is that the question that has been asked has nothing to do

with the bill that is being proposed by the UK Government.

The Deputy Presiding Officer: It is up to the chair to determine that, and I had felt that, in broad-brush terms, something could be extracted. However, the cabinet secretary has responded to the member in the way that he considers appropriate.

Ruth Maguire (Cunninghame South) (SNP): On “Brexit freedoms”, “getting Brexit done”, and “levelling up”, does the cabinet secretary feel the same frustrations that many of my constituents feel about the UK Government’s list of empty post-Brexit slogans, and is the Scottish Government dismayed, as I am, about the potential damage that will be done by such heavy-handed and sweeping legislation, despite its light title?

Angus Robertson: Yes and yes. The title given to the bill would be laughable if its potential impact were not so deadly serious. The only freedom that is on offer is that of being worse off, more polluted, and less safe as a consumer, customer or employee.

While all this untold damage is being inflicted at breakneck speed—all to meet an artificial public relations-drive deadline—this Parliament will have no freedom whatsoever to pass the measures that the member’s constituents and mine actively want to see. Frustration and dismay are just two of the many words—some of which are more colourful—that I would use to describe our reaction.

Katy Clark (West Scotland) (Lab): The negative impact of Brexit on Scotland and on the whole of the UK is clear, as is the Conservative Government’s failure to work with all the devolved institutions. Will the cabinet secretary outline what he can do to ensure that legislation on matters such as agricultural subsidies, for which it is clear that there is devolved responsibility, is brought before this Parliament as soon as possible? What work is being done on how, for example, public procurement will be affected, and what legislation can this Parliament enact?

Angus Robertson: I thank Katy Clark for the positive way in which she asked her question. It mirrors the point that was made by her Labour front-bench colleague.

We will have to ascertain which of the UK Government’s proposed list of 2,400 pieces of legislation—which has apparently gone up by 700 in the past week—might or might not have an impact, depending on how the UK Government decides to treat the Sewel convention. Incidentally, if the UK Government wanted to take devolution seriously, it could legislate and limit the scope of its legislation to England or to England and Wales only, such that retained legislation could remain on the statute book in Scotland.

I give a commitment to Katy Clark and to any of her colleagues who have a close interest in particular policy areas that, over the months ahead, we can discuss what needs to be done to protect safeguards, and the most appropriate way of doing that, and to protect the Parliament’s ability to better understand the proposals that are being made, while at the same time having a conscious understanding of the scale of the potential job at hand, given the way in which the UK Government is planning to go forward with this measure.

Siobhian Brown (Ayr) (SNP): As the Scottish Government begins setting out the progressive, hopeful vision for a wealthier, happier, fairer Scotland in the European family of nations, the UK Government instead continues to drag the devolved countries through a regressive and damaging Brexit, epitomised by the disastrous proposal of the so-called Brexit freedoms bill. Does the cabinet secretary believe that, now more than ever, the people of Scotland must be given the democratic choice for which they have repeatedly voted: a referendum on independence and a decision on Scotland’s future?

Angus Robertson: Yes. The one lesson that can safely be drawn from this sorry episode is that for as long as Scotland is misgoverned by Westminster, the UK Government will continue to inflict on the people of Scotland the long-running psychodrama that is Brexit and its dire unfolding consequences.

The real freedom that we need to be talking about is for the people of Scotland to be free to make their own choice about the future of their own country. The bill will merely serve to make it more obvious which choice the people of Scotland should and will make.

Willie Rennie (North East Fife) (LD): Brexit is a disaster and the Tories are terrible at government, but none of that is new. Although that is always worth repeating, in my mind, I am not sure that this statement of endless speculation moves us any further forward.

I support the keeping pace powers, but the lack of co-operation reflects badly on both Governments. Both the Scottish and UK Governments are responsible for this terrible relationship. What steps will the cabinet secretary take to improve that relationship, so that he does not have to make another speculative statement to this Parliament?

Angus Robertson: First, let me identify the thing that we agree on—that would be a good way to start. Willie Rennie said that he supported the keeping pace powers. I think that he is trying to say that he supports the Scottish Government’s position on safeguarding European legislation and

retaining pace with that. If that is what he meant, I welcome that.

On the equivalence in Willie Rennie's question criticising the state of relations between the UK Government and the Scottish Government, I say to him that there is no such equivalence. I have already informed Parliament that when the Scottish Government tried to have a conversation with the UK Government and asked specific questions of it, the minister responsible was not even prepared to come and meet in person.

I ask members to please not propagate a false equivalence when they are aware of the facts. The Scottish Government has asked for but has not received the information. [*Interruption.*] There is no point in members shaking their head; I am telling Parliament the facts. I asked the questions but did not receive the answers. I asked to meet the minister in question, but he was not prepared to do so. Those are the facts, and if Willie Rennie takes them to heart, he will stop drawing a false equivalence, as he so often does in this chamber.

The Deputy Presiding Officer: Four more members wish to ask a question. In order to get all of them in, I would appreciate short and succinct questions and answers.

Jackie Dunbar (Aberdeen Donside) (SNP): Retained EU law has been a buffer for Scotland against the damaging and far-reaching effects of a hard Tory Brexit. Now that the UK Government is seeking to shake aside those safeguards, does the cabinet secretary believe that the Scottish Government's firm commitment to continuity with European law will be undermined and made more difficult by the obsessive Brexit freedoms bill?

Angus Robertson: As members will be aware, this Government passed the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 with the express purpose of providing Scottish ministers with the powers needed to ensure that Scotland can keep pace with future developments in EU law, where appropriate. EU laws have set high standards for our environment and air and water quality, for example. They have upheld workers' rights and employment law, and they have protected animal welfare, plant health and biosecurity. Those are far from trivial matters; they are the very substance that underpins what we recognise as important to our society and our environment.

I very much hope that parties can work together across the Parliament to do everything that we need to do to protect those safeguards in our public life and national legislation, and maintain the alignment that Scotland has had over the decades with the rest of the European Union in those important areas of life.

Ross Greer (West Scotland) (Green): Jacob Rees-Mogg is so desperate to find a benefit of Brexit that he has outsourced research to *The Sun* and the far right *Daily Express*. That is clearly intended to advance the Tories' decades-long campaign for British workers to have the weakest rights and protections in Europe. Does the cabinet secretary agree that, with little prospect of workers' rights being devolved to the Scottish Parliament, the only way to protect those rights is through independence and membership of the European Union?

Angus Robertson: Ross Greer is, of course, correct. Ultimately, our only way to safeguard being part of the European Union's legislative framework is to be in the European Union. That is exactly where an independent Scotland shall be, and that is exactly the choice that people should be able to have, given that we live in a democracy.

In the meantime, we need to do everything we can, in this Parliament, to make sure that we do not have the rug pulled from underneath us by the UK Government removing safeguards from the statute book and acting in a way that will deluge the Scottish Parliament through its having to find precious time to legislate to retain the safeguards—[*Interruption.*] Clearly, that is something that Conservative members do not take particularly seriously.

Maurice Golden (North East Scotland) (Con): The cabinet secretary suggests that there will be a race to the bottom on the environment, but the opposite is true. The UK Government is going further than the EU on the environment. It is targeting a 68 per cent reduction in emissions by 2030 versus a reduction of just 55 per cent by the EU. Furthermore, it is ending the sale of petrol and diesel cars by 2030, versus 2035. Does the cabinet secretary recognise that the UK Government's actions simply do not match his rhetoric?

Angus Robertson: No, I do not. However, perhaps we can find some common ground on that question. If it is the case that the member and his colleagues are happy to see EU standards as a minimum, they will no doubt be happy to impress on the UK Government that it respect the Sewell convention and this Parliament's decisions on legislative consent. If the UK Government then wants to legislate on devolved matters while excluding Scotland, it should take the praise for that.

Why do we not work in partnership on that challenge, make the UK Government proceed for England, and let the Scottish Parliament and the Scottish Government work on the standards that are based on the safeguards of European legislation that we agree should be retained? I look forward to that. [*Interruption.*]

The Deputy Presiding Officer: Excuse me. There is a lot of sedentary commentary.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): In the lead-up to the European Union referendum, Brexiteer Tories insisted that they were not seeking a race to the bottom on food, environmental standards and workers' rights, despite all the evidence to the contrary. We are now seeing undeniable proof that our standards and rights are being eroded with dodgy trade deals and the United Kingdom Internal Market Act 2020, undoing decades of progress within the European single market, which is 10 times bigger than the UK internal market. Does the cabinet secretary believe that the UK Brexit freedoms bill, whenever it appears, will accelerate that politically motivated downward spiral in trade standards?

Angus Robertson: Willie Coffey has every reason to be concerned. During the passage of the United Kingdom Internal Market Bill, we warned that it would open the door to lower standards across a range of areas in which EU laws used to apply. We are already seeing that threat being played out in relation to trade deals. Whatever the views of this Parliament or the people of Scotland, the United Kingdom Internal Market Act means that there is little that we can do to stop goods entering this country that do not meet the EU rules on, say, animal welfare or food standards.

The Deputy Presiding Officer: That concludes the statement. There will be a short pause before we move on to the next item of business, to allow front-bench teams to change position, should they wish to do so.

Cost of Living Support

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-05106, in the name of Mark Griffin, on cost of living support. I invite members who wish to participate to press their request-to-speak button or place an R in the chat function now or as soon as possible.

15:55

Mark Griffin (Central Scotland) (Lab): On the day on which inflation has broken a 40-year record, Labour members are using our debating time to call on the Scottish Government to unlock a further £10 million for local cost of living support for families on low incomes. Clawing back additional payments of the £400 October energy bill discount from people with second homes, which the Scottish Government amendment appears to accept the principle of, would close a loophole that allows those who are best off to get a double or, potentially, treble payment from the cost of living measures that the United Kingdom Government announced.

The cost of keeping our homes running, safe and warm is at the heart of the crisis. It is summer, but there are already hundreds of thousands of families that dread winter and desperately wonder how they will survive. Mortgages are up £90 a month. Rent increases now surpass those in England and Wales, as the Office for National Statistics confirmed this morning. Water bills are up 4.2 per cent and, as of Monday, the energy cap is estimated to go up by £1,000 in only 100 days.

We often talk about people having to choose between heating and eating, but that is a polite way of putting it. The reality is that thousands will choose between starving or freezing. People will die this winter. The crisis will only get worse, so the Government must respond with action.

The people who are best off—those who are able to afford to run not one but two homes—are set to pocket a windfall of almost £10 million between them simply because they have another home that is not their main residence. The irony of that will be lost on no one.

Homes are for living in. A cost of living support package should benefit the people who need help most. That is what we have demanded agreement on and I believe that we have secured it. Allowing a select few to pocket a £400 bung because collectively they own or rent 24,000 second homes, which is 1 per cent of all stock in Scotland, will not deliver the fairness that we expect.

We welcome the fact that Rishi Sunak and the Scottish National Party finally listened to Labour's

calls for a windfall tax on oil and gas companies that were making bumper profits.

Miles Briggs (Lothian) (Con): Will Labour also support my amendment, which looks towards increasing the single-person council tax discount from 25 per cent to 35 per cent to help families now?

Mark Griffin: No, we will not support the Conservative amendment because it deletes large swathes of what we are trying to do. We are trying to focus acutely on the £10 million that is going to second home owners, who should not receive it.

We welcome the fact that the chancellor has introduced the payment but he took too long to accept that it was necessary and his support package rewards people with second homes with their own windfall, thereby wasting £10 million of taxpayers' cash. That was Rishi Sunak's error but, following pressure from Labour, the Scottish Government appears to be willing to act.

Local authorities, which are required to be consulted under the amended Local Government in Scotland Act 2003, will be desperate for the powers to unlock a further £10 million to help the most vulnerable in their communities. I am delighted that the Government has chosen to change course on that because, only two weeks ago, the Cabinet Secretary for Rural Affairs and Islands told me that we would have to wait for the remote, rural and islands housing action plan and, as the Cabinet Secretary for Social Justice, Housing and Local Government had previously done, indicated that the additional dwelling supplement was enough to tackle second homes.

Jeremy Balfour (Lothian) (Con): Will the member take an intervention?

Mark Griffin: I will not do so at the moment because I still have a lot of progress to make. I apologise to Mr Balfour.

I hope that, when the Minister for Public Finance, Planning and Community Wealth stands up, we can get a cast-iron assurance that the Government will not hang about on the matter. The powers are already in play. Councils already remove discounts on second homes and charge a 100 per cent surcharge on homes that are left empty, raising £45 million a year for local house building.

The work has to be done, with money being with councils by the autumn. We cannot accept the matter being kicked into the long grass, which is what the Government has done with issues such as the transient visitor levy. We also cannot accept quibbling over issues such as patchy collection of council tax on empty homes. We cannot play politics on the matter. We need to recover funds and get them to those who need them most.

There is a wider moral argument for taxing second homes more. Until today, Scotland was the outlier across Great Britain in that it lacked plans for a surcharge on second homes. Even Michael Gove is introducing a surcharge on second homes, which seems to have passed by the Conservative amendment.

Even before the pandemic, tens of thousands of Scots were unable to find a place that they could afford to call home. They have been stuck on waiting lists, unable to get their foot on the property ladder, and have been struggling to make ends meet to pay private rents. They do not have a warm, affordable and safe home.

Broadly, second homes are left empty for much of the year—they are furnished holiday homes or, for some, crash pads. They are a luxury that communities that are crying out for family homes cannot afford. With inflation set to reach double figures by the end of the year, and with 100 days until the cap is increased, the Government must use the summer to prove its willingness to act.

I move,

That the Parliament notes that, under the UK Government's Energy Bills Support Scheme, second home owners across Scotland will receive a double payment of the £400 credit for their energy bills; considers that this funding would be better used to support low-income households struggling with the cost of living crisis, and calls on the Scottish Government to allow local authorities to recover this money through a one-off increase to the council tax levied on second homes in order to support local cost of living responses.

The Deputy Presiding Officer: During portfolio question time, I alerted members to the fact that we are really tight for time across the afternoon, and decision time is later than usual, so I would appreciate it if members could stick to their speaking allocations. They might get a little bit of time back for interventions, but really not an awful lot.

16:01

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): The Scottish Government welcomes this debate, because the issue that the Labour Party has raised is important.

Shortly, I will turn to the Government's response to the motion and our wider response to the cost of living crisis, but, before I do so, let me set out the Government's position on second homes. We recognise that good-quality affordable housing is essential in supporting communities across Scotland to prosper. Although second homes bring benefits to those who own them and to the tourism businesses that they support, we know that, in some communities, second homes can have an impact on the availability of properties to meet

local needs. Just as important, second homes can have an impact on a community's sustainability.

That is why we have already taken action on second homes. Since 2013, councils have been able to vary council tax discounts on second homes and, since 2017, they have had the power to remove the discount in all, or in part of, their council area. In January 2019, we increased the additional dwelling supplement to land and buildings transaction tax from 3 per cent to 4 per cent of the total purchase price of any additional home of £40,000 or more. That is intended to protect opportunities for first-time buyers in Scotland, but it can act as a disincentive to second home purchases.

We will consider all options as we take forward our commitment to introduce powers for local authorities to manage the number of second homes in their areas. The powers will recognise that urban and rural areas face different challenges, and we will explore fiscal and non-fiscal options to support the housing needs of different communities across Scotland.

Turning to the issue that is raised in today's motion, we agree that it would clearly be wrong for second home owners to benefit from the £400 energy rebate that the UK Government is making available. Using the council tax system to recover the £400 has merit, but that would not be straightforward, so we will work with the Convention of Scottish Local Authorities and local government in examining all options to recover the money, including through a council tax levied on second homes. In fact, we will explore options beyond those that apply only to second homes; we will consider applying a similar measure to long-term empty homes, too. We will explore using the funds that will be raised to support local cost of living responses on a fair and equitable basis across councils, and I confirm that I will write to COSLA this afternoon.

Neil Bibby (West Scotland) (Lab): I welcome what the minister has said about exploring the issue with COSLA. Obviously, we are living through a cost of living crisis and, given that emergency, we need to ensure that additional support goes to those who most need it. We do not have time to waste in recovering the money, so what are the timescales for that engagement?

Tom Arthur: The member may have missed that I am writing to COSLA this afternoon on the matter. I want the discussions to begin in earnest, because I recognise the issues that he raises.

I am conscious of time, so I turn now to cost of living support. This Government has shown that we respond quickly and effectively to economic crises, ensuring that appropriate support is in place for those on low incomes. At the height of

the pandemic, we moved at pace to introduce our £100 Covid winter hardship payments for families, becoming the first Administration in the UK to introduce such vital support. Through that measure, we put more than £14 million in the pockets of low-income families in December 2020.

We followed that with our £69 million investment in a £130 low-income pandemic payment to support more than 530,000 low-income households that were in receipt of council tax reduction, or were exempt or not liable for council tax, by the end of November 2021.

Through the budget for 2022-23, the Scottish Government has allocated almost £3 billion to a range of supports that will contribute to mitigating the impact of the increased cost of living on households. That includes work to tackle child poverty, reduce inequalities and support financial wellbeing, alongside social security payments that are not available anywhere else in the UK. Our resource spending review prioritises £22.9 billion for social security assistance.

In responding to the crisis, we took the decision to uprate eight Scottish benefits by 6 per cent and to invest a further £10 million in our fuel insecurity fund to support households at risk of severely rationing their energy use or self-disconnecting. That is significant financial support for those living in Scotland; it will provide protection for those on the lowest incomes that people in the rest of the UK do not have.

However, while we do all that we can, we must not forget that it is Westminster that holds most of the powers that are needed to tackle the cost of living crisis, both in the immediate and longer term. Those include powers over energy, the minimum wage, national insurance and 85 per cent of social security spending.

The Scottish Government has continually urged the UK Government to use all the powers and fiscal headroom at its disposal to address the cost of living crisis. As part of that, on 25 May, the Cabinet Secretary for Finance and the Economy wrote to the Chancellor of the Exchequer, setting out policies that would offer a long-term solution to the cost of living crisis. By ignoring our call for a comprehensive funding package to fully address the unprecedented cost of living crisis, the chancellor's piecemeal approach makes it highly likely that more support will be needed when energy bills rise significantly again in the autumn.

I say again that the Government welcomes the issue being raised in the motion. We will constructively examine all options to recover the money through a council tax levied on second homes and long-term empty properties in order to support a local cost of living response on a fair and equitable basis. We will engage with COSLA

and local government on the most effective ways to do that. Taking that approach fits with this Government's commitment to tackling the cost of living crisis with all the tools that we currently have at our disposal.

I move amendment S6M-05106.2, to leave out from "calls on" to end and insert:

"agrees that the Scottish Government, in consultation with COSLA, should examine all options to recover this money through a council tax levy on second homes and long-term empty homes in order to support local cost-of-living responses on a fair and equitable basis."

16:07

Miles Briggs (Lothian) (Con): I, too, thank the Labour Party for bringing the debate to the chamber. Every MSP will be acutely aware of the cost of living pressures that are currently facing people across the country, and the need for every level of Government to work to help support individuals and families during this difficult time.

The economic pressures that we are facing are considerable. Those pressures are created by global events—rises in fuel prices, Putin's illegal invasion of Ukraine and the fact that the country is still recovering from the Covid-19 pandemic are causing a strain on all aspects of the cost of living, and families and businesses are being negatively impacted due to inflation and the rises in everyday prices. That is why the debate is welcome, and why I have lodged my amendment.

The UK Government has taken a number of key actions that will support the most vulnerable households in our country, with £1,200 in support payments. The new measures that UK ministers are bringing forward to help address the cost of living crisis are welcome, and they represent the start of what must be a concerted effort to drive down cost of living pressures.

The energy bill support scheme will see every household receive £400 off their energy bills, with additional funding being provided to those on benefits, people with disabilities and pensioners. It is also important to note that raising the national insurance threshold and cutting the universal credit taper rate will allow people to keep more of the money that they earn, in addition to actions to cut fuel duty and lower fuel costs. Taken together as a package, that is £37 billion of focused spending on the most vulnerable families in Scotland and across the UK.

From next month, around 8 million people on the lowest incomes in the country will also receive a cost of living payment of £650—support that is worth well over £5 billion—to give them the support that they need during these challenging times. The Department for Work and Pensions will make those payments in two lump sums, the first

in July and the second in autumn, with payments from HM Revenue and Customs to those on tax credits following shortly after. The Social Security (Additional Payments) Bill was tabled at Westminster today and is progressing through Parliament there. That is welcome and worth reflecting on.

We know that pensioners and disabled people are disproportionately impacted by higher energy costs. That is why, from the autumn, the UK Government will deliver additional support to more than eight million pensioner households that receive the winter fuel payment: the extra, one-off pensioner cost of living payment of £300. Direct help is being provided to people, and we need to make sure that every level of government is doing just that. Many disabled people will also receive a payment of £650, taking their total cost of living payments to more than £800. That is real action from the UK Government.

However, we on the Conservative benches want to see more—

Gillian Martin (Aberdeenshire East) (SNP): Will the member take an intervention?

Miles Briggs: If I can get the time back.

The Deputy Presiding Officer: You will get only some of it, I suspect.

Gillian Martin: In addition to the things that Miles Briggs has mentioned, is there anything happening at UK Government level to deal with the regulation of fuel costs?

Miles Briggs: Discussions are taking place as we speak, and it is important that they are being developed. We have seen action already with the 5 per cent cut. I think that we all want to see more action, and I am pleased that the chancellor has been leading on that.

On the Conservative benches, we also want to see more action from the Scottish Government, which we are here to debate today. That is why I have proposed in my amendment—indeed, we stood on the proposal in our manifesto at the council elections—that we look towards increasing the single person discount on council tax from 25 to 35 per cent. That measure could be used directly by SNP ministers now to help every single person in Scotland save, on average, £134 a year for an average band D property. That would not require a bureaucratic process; it is a measure that this Parliament could pass to deliver support that is needed.

I am disappointed that the Labour Party and, I take it, SNP ministers will not be supporting that—

Mark Griffin: Will the member give way?

The Deputy Presiding Officer: You are not going to get any more time back, Mr Briggs.

Miles Briggs: In that case, I cannot give way.

Scottish Conservatives want to see, and support, the measures that have been brought forward by the chancellor, Rishi Sunak in the spring statement and in the cost of living statement to deliver support, which all of our constituents are looking for.

Supporting people across Scotland and the UK with the cost of living crisis is critical, but we also need to focus on building a stronger economy. That is why we must see a relentless focus from both Scotland's Governments on creating more well-paid jobs, cutting taxes for working people, driving business investment and innovation, unleashing a new skills revolution and levelling up across all parts of Scotland and the United Kingdom.

I move amendment S6M-05106.1, to leave out from "second home" to end and insert:

"every household in Scotland will receive £400 off their energy bills, with additional funding being provided to those on benefits, people with disabilities and pensioners; further notes that raising the National Insurance threshold and cutting the Universal Credit taper rate will allow people to keep more of the money they make; agrees that cutting fuel duty will help tackle this crisis by lowering fuel costs; notes that the £243 billion that the UK Government spends on welfare will support some of the most vulnerable families in Scotland; believes that the huge £251 million cut to Scottish local authorities has resulted in higher council tax rates across the country, and supports increasing the single person discount on council tax from 25% to 35%."

The Deputy Presiding Officer: I call Willie Rennie. You have up to four minutes, Mr Rennie.

16:12

Willie Rennie (North East Fife) (LD): There is no doubt that Miles Briggs presents a very reasonable case. However, the truth is that his amendment deletes the central purpose of Labour's motion, which is to pull back from the owners of about 25,000 properties about £400 each.

He never defended that position today, and he also did not defend the reprehensible behaviour of some of his colleagues, particularly at Westminster, who seek to blame the poor for their budgetary difficulties at times. That has included saying that they should cook better and budget better.

Miles Briggs rose—

Willie Rennie: I will take an intervention from Miles Briggs if he is going to explain that.

Miles Briggs: We do not have the mechanism that the Labour Party and the Scottish Government are proposing, so it is quite clear that that cannot happen now. My amendment proposes something that can happen, so that a

£134 discount can be delivered. The fact that the Scottish Government has asked COSLA to look at doing something is one thing, but it is not delivering help here and now.

Willie Rennie: The motion and the fact that the Government accepts the principle of the action indicates that it is possible to do it. I am disappointed that Miles Briggs was not prepared to even explore that proposition in his speech.

The scale of the problem is significant. The ONS data that was released today is really quite stark. Food, drink and clothes costs for a typical family are now at £5,780 a year—up £425 in one year. The fuel costs for a typical family are up £310. In addition to the Conservatives' tax hike, which is running at about £640, that is a £1,300 hit, and that is before we even get to energy costs. That is an enormous cost.

The increase in value-added tax take means that an extra £8.6 billion will go into the Government's coffers over the next year, so the UK Government could go much further than it does currently. I would have liked to hear Miles Briggs put pressure on the UK Government to do something along those lines, which would mean another £430 per family. We should take immediate action to cut VAT from 20 per cent to 17.5 per cent, which would bring immediate help to families. That is what we should support.

Jackie Dunbar (Aberdeen Donside) (SNP): Will the member take an intervention?

Willie Rennie: I would like to, but I am really short of time.

The fact that this debate is happening probably signifies a wider problem in society. The fact that 25,000 properties are now classed as second homes indicates that we need to take wider and firmer action on the increasing numbers of homes that are taken out of circulation for working families. In places such as my constituency of North East Fife—particularly the east neuk of Fife—people cannot afford to live in the communities in which they work. The prices of properties are sky high, and properties are often occupied by second-home owners who live there only very periodically. That speaks to a wider problem, which is why I have pressed the Government for a clearer indication about where it will go to tackle the number of second homes. We took some steps on short-term lets, but the other half of the equation is taking steps on second homes.

We will support Labour's motion today. It will introduce another £10 million to the Scottish Government's finances, which we can target to those who are most in need. I will conclude on that point, Deputy Presiding Officer.

The Deputy Presiding Officer: That is very wise, Mr Rennie.

We move to the open debate.

16:16

Alex Rowley (Mid Scotland and Fife) (Lab): I support the motion that has been lodged, and I am pleased to support the Government's amendment. We need to look at how we can support people, especially those who are in the greatest need. The issue is about targeted support and how we deliver it.

The Tories plan to relax control over city bosses' pay. We can see whom they want to target—more money to the rich while the poor suffer—and it cannot be acceptable.

We need to recognise that older people and people with disabilities will use a lot more energy. We can imagine the difficulties that they face right now, and they are just one group of people.

The fact is that wages have stagnated over a number of years. The Tories say that we need to hold wages down because of inflation, but it is the energy costs, which are spiralling out of control, that are leading to high inflation. I fear greater inflation as we go forward, and even greater pressures.

There are things that the Scottish Government can do. Let us consider public sector workers and the wage claims that are coming forward now. The Government has offered 5 per cent to national health service workers. That will be £1,000 a year for NHS workers on the lowest pay but £5,000 a year for those workers on much higher pay—and the unions are rightly saying that that is not fair.

For local government, the offer on the table now seems to be 2 per cent, which is quite an offer for the chief executive of Fife Council, who earns £200,000-odd a year, but it is not the same for low-paid workers on £15,000 or £20,000 a year. The Scottish Government will have to look again at wages and ensure that local authorities have the funding to tackle the problem and be able to pay the lowest-paid workers.

The Tories are quite happy to help the rich but not the poor. Gordon Brown said at the weekend:

"It is time for all people of conscience and goodwill—faith groups, charities and foundations, local councillors and mayors and concerned business leaders in all our country's nations and regions—to call on the chancellor for a fourth budget to prevent what is likely to be the biggest rise in family poverty we have seen in our lifetimes."

I hope that the Parliament can unite behind such a call. Yes, the Scottish Government can do more and there are things that we all need to do to help, but the reality is that the chancellor needs to bring forward a budget that will tackle the problems

head-on. The Scottish Parliament could begin by uniting behind our call for the Government to restore the £20 universal credit uplift and take steps to help those families right now.

As we came towards this crisis, the Tories cut money from some of the poorest people in the country, as well as from people who were in work. We should remember that tax credits were there to help the low paid. We need this Parliament to unite and ask the Government to restore that £20. By next winter, it is likely that more than 5 million children across the UK will be living in poverty in one of the wealthiest countries in the world because our Government is refusing to act.

Miles Briggs: Will the member take an intervention?

The Deputy Presiding Officer: The member is just concluding.

Alex Rowley: I appeal for us to join together and work together. The amendment shows that the Government is willing to do that, so let us work together and call on the UK Government to take the steps that it needs to take to address this crisis now.

The Deputy Presiding Officer: I call Christine Grahame, to be followed by Paul Sweeney. I will be enforcing the four-minute deadline from now on.

16:21

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Crumbs! I am frightened now.

I thank the Labour Party for lodging the motion. I absolutely support the clawing back of the £400 payment that is being credited to people who have second homes—and, indeed, third or fourth homes—and long-term unoccupied homes.

Incidentally, I think that Rishi Sunak has at least four homes, but I am not sure whether 11 Downing Street and his next-door neighbour will get the payment. [*Interruption.*] They will not. The Labour members seem to know more than I do.

The idea was obviously roughed out so that the Conservatives could be seen to be doing something. As members will understand, I support the motion and I am glad that Labour will support the SNP amendment, which adds value and detail to the substantive motion.

If people receive that £400 credit one time, let alone multiple times, and they can manage without it, they can always donate a similar sum to a food bank. It cannot be got around any other way.

That said, it is a sticking plaster. As in all inflationary circumstances, the economically

vulnerable, such as single parents, people on low incomes, pensioners and the disabled, always suffer—and worse is to come. The days are mild now. Heating is off or on low, although some people who are housebound will need to have the heating on, whatever it might be like outside. Domestic energy costs are set to rise to around £3,000 a year, and food inflation has not yet peaked. There is also, of course, no cap on the price of home heating oil—which is much used in areas such as Midlothian South, Tweeddale and Lauderdale—because it is unregulated.

The war in Ukraine is having an impact on the UK economy, but why is it that we have one of the highest inflation rates in the G7, with the exception of Russia? That is because of the destructive impact of Brexit, and it can no longer be camouflaged by Covid. Those are not my words. Analysis by the Centre for European Reform shows that Brexit has cost the UK billions of pounds in lost trade, lost investment and lost taxes. That is money that this country could really do with at a time of rising debt and falling living standards. That is all relevant to the crisis in which people find themselves.

According to the London School of Economics, Brexit alone has caused a 6 per cent spike in UK food prices. These are independent sources.

As for Covid, the National Institute of Economic and Social Research, which is the oldest non-partisan economic research institute in the UK, criticised the chancellor, Rishi Sunak, after he failed to take out insurance against rate rises in quantitative easing reserves. That cost £900 billion, which is £900,000 million, or £2,000 per person. That is economic chaos and mismanagement. Add to that the—at least—£11 billion in wasted and useless personal protective equipment that requires to be incinerated and the profligacy and incompetence of the UK Government in running the economy are there for all to see.

The people who suffer are not the bankers and not the people who made a lot of money and will continue to make money during inflation; it is the people who are already vulnerable who will suffer.

I call on the chancellor to slash the 20 per cent VAT on fuel, which has already had duty levied on it, so there is a tax on a tax. That would reduce transport costs for commercial and essential personal travel.

I also call on the chancellor to reinstate the uplift in universal credit of £20 per week, and I call on the UK Government to proactively pursue the uptake of benefits. For example, 40 per cent of people who are entitled to pension credit do not claim it. The UK Government should be pushing

for those people to claim it—perhaps the Treasury just wants to keep that money.

However, I know that that is not enough. Here, we have stretched mitigation to its limits. We must detach ourselves from the failing UK Government and, with independence, set our course for a just society.

16:25

Paul Sweeney (Glasgow) (Lab): I am delighted to contribute to the debate and to support the motion in the name of my friend Mark Griffin.

The cost of living crisis is the biggest challenge that families across Scotland and the wider UK face. Inflationary pressures, stagnating wages and geopolitical upheaval have resulted in a perfect storm. Food prices, energy prices and fuel prices are all up. In the past year, the cost of an average family's food shopping has increased by almost £400. Energy prices have jumped by more than £700 per household and they look set to increase by the same again in October. Fuel prices have increased by almost £1 a litre, which means that the average family car now costs £100 to fill up. In addition, our housing costs are among the highest in Europe, with that rent-seeking behaviour sapping our real productive potential across the economy.

While all of that is happening, wages have stagnated for more than a decade. Even people who are offered a wage rise this year are not likely to be offered a rise that will be high enough to keep up with rising inflation.

We should be in no doubt that that combination of price increases and compressed wages is really biting hard. Citizens Advice Scotland estimates that one in every five people in Scotland now runs out of money before pay day. The stress that that causes to families every month is frightening.

The Poverty and Inequality Commission estimates that one in four children in Scotland lives in poverty, that one in five working-age people in Scotland lives in poverty and that 61 per cent of working-age adults who live in poverty are living in a household in which someone is in employment. Are we going to accept that that is the norm or pretend that the situation will not get significantly worse by the end of the year?

It is essential that we understand the underlying factors that are driving inflation. Brexit, labour market shortages and the post-pandemic clamour are undoubtedly playing their part, but there is also an egregious economic power grab at play here. This week, IPPR Scotland and Common Wealth published research highlighting that net profits for companies are up by a staggering 33 per cent compared with before the pandemic and that 90

per cent of those profits have been made by just 25 companies. At a time when workers have been told by the Tories and some in the SNP that their demands for better wages are increasing and exacerbating inflationary pressures, we should understand that excess profits are a much greater driver of inflation. We should be considering profit restraint measures and the redistribution of profits to ensure greater equality of income. Taxing investments at the same rates at which we tax income is an underutilised and underappreciated tool that we have at our disposal.

The demands for pay restraint come at a time when railway workers are taking strike action for better pay, terms and conditions. I put on record my unequivocal and complete solidarity with them, because workers have been ripped off for too long. Having been blamed for the failings of successive Governments to address the structural fragilities at the heart of our economy, they have decided to stand up and be counted by using their power to collectively bargain. I pay tribute to the National Union of Rail, Maritime and Transport Workers for its work. Rather than criticise unions for democratically representing the views and wishes of their members, we should encourage other sectors to unionise and collectively bargain for better working conditions. If workers are not able to use their power to collectively bargain, they are left begging from the owners of capital.

We need to tackle the current crisis with a clear understanding of the underlying structural problem. Frankly, neither the UK Government nor the Scottish Government is doing much in that regard. Contrary to what the Bank of England's governor tells us—

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

Paul Sweeney: —the way to get out of this mess is to put more money into people's pockets and to bring about more profit restraint in businesses, not the other way round.

16:29

Alexander Stewart (Mid Scotland and Fife) (Con): I am pleased to speak in favour of the amendment in the name of Miles Briggs.

Over the past two years, the pandemic required financial interventions that were previously unheard of. Unprecedented times resulted in unprecedented measures. In total, the UK Government spent £410 billion to mitigate the effects of the pandemic and Scotland's Government received an extra £14.7 billion in consequentials.

Although Scotland is finally on the road to recovery from the pandemic, we still face difficult

and uncertain times. I therefore welcome the package of measures that has been put in place to tackle the cost of living crisis. Following two years of Covid spending, it can be hard to put into context just how extensive those measures are, but a package of support that totals more than £37 billion is significant by any measure.

Labour has chosen to focus, in its motion, on a specific aspect of that financial support. The truth is that the package of support comes from all directions and includes cost of living payments, increases in the minimum wage, fuel duty cuts and, of course, the energy bills support scheme. Although the scheme will deliver financial support to every household in Great Britain, the fact is that three quarters of the total financial support will go to the most vulnerable households in our communities. That is welcome. As my party's spokesperson for older people, I welcome the fact that pensioners who are in receipt of pension credit will be more than £1,600 better off as a result of that support.

Although that support is welcome, the onus now lies with the Scottish Government to do more in the area. That includes ensuring that the tax burden here matches that in the rest of the UK, with income tax cuts and an increase in the single-person council tax discount to 35 per cent. We have called for that and will continue to do so.

Daniel Johnson (Edinburgh Southern) (Lab): Will the member take an intervention?

Alexander Stewart: I am afraid that my time is too limited.

It also includes helping local authorities to be flexible in responding to the needs of individual households in every area of the country. Councils are best placed to respond to local needs, but their job has been made significantly harder by the legacy of the cuts that they have faced over the past decade.

That is not to suggest that the Government should look to Labour's solutions to support the Scottish public through the crisis. The tax proposal that Labour and the SNP support would raise half the amount that the energy profits levy is expected to deliver.

Over the past two years, unprecedented packages of financial support have been delivered by Governments the world over, with huge amounts of funding. We saw that with initiatives such as the furlough scheme, which protected more than a million Scottish jobs during the pandemic. We see the approach again with the energy bills support scheme.

I have spoken before in Parliament about the United Kingdom having broad financial shoulders. This is an opportunity to ensure once again that

that is the case. In conclusion, I say that only by working together with the UK Government to deliver on the potential that those broad shoulders provide can the Scottish Government deliver the recovery from Covid that the Scottish public expect.

I support the amendment in Miles Briggs's name, which shows the amount of time, effort and resource that has been put into tackling the issue. The cost of living crisis will continue to be an issue, but we are moving forward and tackling it as best we can.

The Deputy Presiding Officer: The next three speakers will join us online. You have up to four minutes: I will hold you to that, just as I am doing with members who are in the chamber.

16:33

Paul McLennan (East Lothian) (SNP): Thank you, Presiding Officer.

I thank the Labour Party for bringing the debate to Parliament. The cost of living crisis is impacting all our constituencies, in all parts of Scotland. I support the amendment that the Scottish Government has lodged and I hope that the Labour Party can also support it.

The motion from the Labour Party has merit; I agree that the UK Government's £400 energy rebate has not been thought through as it will apply to second homes. As the minister indicated, the Scottish Government has been working on issues to do with second homes and has changed legislation to ensure that council tax discounts are in the hands of local authorities. The Scottish Government will work with the new Convention of Scottish Local Authorities leadership to examine all options to recover the money through a council tax that is levied on second homes. As the minister said, the Government is considering expanding the measure to cover long-term empty homes. I am glad that the minister has today written to COSLA, and I am sure that COSLA will reply quickly. I think that COSLA will welcome the consensus approach and ensure that it is sustainable and fair.

In this short speech, I will cover what got us into this situation and what we need to do to support the most vulnerable people in our society. This morning, East Lothian Foodbank reported a year-on-year increase in food bank usage of 86 per cent, and reported its busiest-ever month.

The cost of living is increasing all over the world due to inflationary pressures, fuel costs, food costs and the war in Ukraine. However, let us make no mistake—that has been exacerbated by the shambolic management of the economy by the UK Tory Party. This morning, inflation reached a 40-

year high—[*Inaudible.*—]—and remember, the growth rate here is projected to be the lowest in the G20, apart from Russia's.

The Institute for Fiscal Studies estimates that inflation is hitting the poorest households harder, because they spend more of their money on gas and electricity. I echo what other members have said: the UK Government needs to do more on the cost of energy.

On Brexit, the Resolution Foundation, in a report last week, said that leaving the EU has reduced the competitiveness of Britain's economy, which in turn is reducing productivity and workers' real wages. The report, which was done in collaboration with the London School of Economics and Political Science, said that

"the ... impact of Brexit has been clear, with a depreciation-driven inflation spike increasing the cost of living for households, and business investment falling."

"Brexit" is a word that we never hear from the Tory party; we have heard nothing about it in the debate, and there has been no acknowledgement of its impact on Scotland and on the poorest people in society. Research has estimated that labour productivity will reduce by 1.3 per cent, which is contributing to weaker wage growth, and real pay is set to fall by, on average, £470 per worker each year. Citizens Advice Scotland found that one in three Scots finds energy bills to be unaffordable and that, shamefully, almost half a million people in Scotland have had to choose between heating and eating.

In conclusion, I say that the UK Government must go further in providing targeted direct support for those who are most in need. Doubling the discount on household energy bills to £400 is welcome, but it does not do enough to mitigate the impacts of price increases on the people who are least able to pay.

The Scottish Government is investing almost £770m this year in cost of living support, including in a range of family benefits that are not available elsewhere in the UK to mitigate the bedroom tax and the benefit cap. It is increasing Scottish benefits by 6 per cent, and £1.8 billion has been committed to the Scottish child payment over the next four years—combined with the three best start grant payments and best start foods.

Westminster holds most of the powers that are needed to tackle the cost of living crisis in the immediate and longer terms, including levers in energy, the minimum wage, national insurance and 85 per cent of social security powers. The Scottish Government is supporting the most vulnerable people in our society in many ways—but with the powers of independence we could do much more.

16:37

Ariane Burgess (Highlands and Islands) (Green): I, too, thank Mark Griffin for bringing this important issue to the foreground. It is incumbent on the Scottish Government to do everything that it can to mitigate the harsh impacts of the cost of living crisis. That is undeniable; I doubt, from what we have heard in the debate, that anyone disagrees.

The cost of living crisis is plunging countless households into fuel and food poverty, and it is making the comings and goings of everyday life extremely challenging for people across Scotland. Projections emanating from the Bank of England do not offer reassurance; on the contrary, its governor expects a peak in the rate of inflation of an astounding 11 per cent, which is a worrying figure, to put it mildly.

Scrutiny of energy and finance policy is essential, but such scrutiny must be focused on the decisions that are made on energy and finance policy. It is not surprising that the measures that have been taken by a Tory Government that is led by ultrawealthy and law-breaking individuals disproportionately benefit the rich in times of crisis.

Let us contrast the UK Government's actions with our Government's actions, because the Scottish Government is not exempt from scrutiny, and should not shy away from sound proposals for improvement. The Scottish Government is rightly extending itself to support individuals and families during this unprecedented and challenging time. Under the defective devolution settlement, that must be done within the bounds of severe resource constraints, but it is necessary in order to limit the damage that is being inflicted by the UK Government's inaction and ineptitude. For example, as the minister stated, the Scottish Government is investing £770 million in cost of living measures, including uprating eight Scottish social security payments by 6 per cent to support people who face rising costs.

Thanks to the progressive alliance between the Greens and the SNP in government, almost £1.8 billion is being committed to the Scottish child payment over the next four years. The amount per child per week doubled in April to £20, and will increase further to £25 by the end of the year, when it will also be extended to all under-16s.

On the other hand, the UK Government is providing a "grand package" of £37 billion, including the energy bills support scheme. However, the devil is in the detail. All households will receive £400, including second homes and households on high and superhigh incomes. The Tory Government has made the completely inadequate suggestion that people who do not need the £400 should simply donate it to a charity

of their choice. That is not good enough. It is not because of their voluntary care and generosity that the wealthy and ultra-wealthy enjoy their status.

The Scottish Government must consider all its options to mitigate the regressive impact of UK Government policy. That is nothing new.

In principle, the motion that we are debating today is welcome. However, we need to be careful when the Opposition here demands a top-down intervention that would, in effect, prescribe to local authorities how they should govern their finances. It is essential that proposed measures that would directly affect local government are designed, in the first instance, in consultation with COSLA and other relevant stakeholders. I support, in principle, the empowerment of local authorities, which will enable them to design and implement targeted fiscal policies, such as increased council tax for second homes.

More generally, the reactive proposals from Labour would not solve the problem. I agree that, depending on the appetite of COSLA and stakeholders for the proposal, local authorities need to be indefinitely empowered in that way.

The Deputy Presiding Officer: Ruth Maguire will be the final speaker in the open debate.

16:41

Ruth Maguire (Cunninghame South) (SNP): I welcome the opportunity to participate in the debate. I support the proposals that have been set out by Labour, as amended by the Scottish Government. The addition of the wording on empty homes and the importance of equitable distribution will add value to the Labour motion.

Although the cost of living crisis brings bad news for almost everyone, it is the people who are on low to middle incomes for whom it potentially poses an unmanageable challenge. It is predicted that the situation will get worse.

Inflation is now at a 40-year high, and the Office for National Statistics blames higher food prices—particularly the price of everyday staples including bread, cereal and meat—for the increase. Although higher earners might be able to absorb that cost, years of austerity and low income growth under Tory Governments have left the people who are on the lowest earnings with little to no room for manoeuvre.

The Resolution Foundation reported that disposable incomes of the people who have the lowest earnings increased by £3,456 between 2000 and 2020. However, income for the richest grew by £12,393.

The supermarket Asda commented today that some shoppers are setting £30 limits at checkouts

and at petrol pumps. Customers are putting less in their baskets and are switching to budget ranges.

Although the doubling of the energy discount to £400 is not unwelcome, it falls short of mitigating price increases for those who are least able to afford their energy bills. Although owners of second homes will receive double payments, others are not eligible for any payments. I have been contacted by constituents who live on a park home estate. Due to their having no direct utility accounts, they will not receive any help with their energy bills. That concern has not been addressed, but the UK Chancellor of the Exchequer has chosen to spend only half of the £30 billion that he has at his disposal.

Over the past two years, the Scottish budget has fallen by 5.2 per cent, with another 1 per cent sustained until 2026. Despite that, the Scottish Government has made an investment of £770 million in cost of living support. The Scottish child payment doubled in April and will rise again by the end of the year. Together with the three best start grants and best start food, that will provide Scottish families with more than £10,000 by the time their first child turns six.

The Child Poverty Action Group has reported that the combined value of Scottish Government policies along with lower childcare costs reduces the net cost of bringing up a child by up to 31 per cent for low-income families, and provides much-needed relief.

Furthermore, to help to address the current cost of living pressures and to recognise the needs of families with pre-school-age children, SNP-run North Ayrshire Council has agreed to increase from £130 to £230 the scheduled summer child bridging payment. That is an additional one-off payment of £100 for families in my constituency and throughout North Ayrshire who are already entitled to free school meals and the child bridging payment.

There is no respite from the relentless rise in prices, with some people facing the terrifying reality of not being able to afford the basics. Increasing numbers of people are facing stark choices. Westminster holds most of the powers over what is needed to tackle the cost of living crisis. It is time that it flexed its fiscal powers and realised that lower-income households do not have the flexibility that higher-income households use in managing price increases.

The Deputy Presiding Officer: We move to closing speeches and I call Jeremy Balfour—you have up to five minutes, Mr Balfour.

16:45

Jeremy Balfour (Lothian) (Con): We are experiencing some of the most extraordinary global events in my lifetime; we have the war in Ukraine, broken supply chains and rising energy prices, all while the world is struggling to get off its knees post-pandemic. Across the world, people are looking at their bank balances, worrying that they are worth less than they were the day before. It is incumbent on Governments to support those they serve by any means that is available to them. That includes direct support to those who are in need, but it is also about ensuring that Governments get a handle on inflation so as to slow the depreciation of people's hard-earned savings.

Scotland is fortunate to have a Government in Westminster that is committed to providing that support. Throughout the pandemic, the UK Government provided an unprecedented level of support to the people of Scotland, spending over £400 billion in total. The furlough scheme, which was underwritten by the broad shoulders of the Exchequer, allowed millions of families to remain safe at home without having to worry about risking their health for a pay cheque.

The fast and efficient roll-out of a united vaccine scheme allowed our economy to remain resilient. We managed to get shots in arms faster than any other European country, leading to our economy bouncing back above pre-pandemic levels. Not only does the UK Government have a track record of backing up that commitment to supporting the people of Scotland but, as my colleagues on these benches have pointed out, continues to back it up as it provides aid to those who are in need at this difficult time.

A number of measures have been implemented. The £400 energy grant promises to make a real difference to those who will struggle with the global rise in energy prices. The cut in fuel duty by 5p per litre lowers the proportion of a commuter's wage that they have to spend on travel, again putting money directly into the pockets of hard-working Scottish people. It represents an amazing £5 billion in savings for commuters.

The universal credit taper has been adjusted to make sure that people who are receiving support can take home more of their hard-earned pay without the fear of losing their benefits. A £150 cost of living payment for disabled people will help to cover the extra costs that fall on those who are disabled, ensuring that some of the most vulnerable people in Scotland do not suffer excessively because of an accident of birth or later in life. Pensioners who are in receipt of the winter fuel payment will receive an extra £300 to help with the cost of utilities.

Presiding Officer, I hope that you can see a theme here. The UK Government has, time after time, supported the people of Scotland, especially those who are most in need. Finally, on that theme, I put on the record my full support for the amendment in the name of my colleague Miles Briggs.

I wonder whether, in summing up, the Labour Party speaker can answer two questions that Labour members have not been able to take as interventions. First, how much will it cost to recoup the £10 million in administration costs? Secondly, how quickly and with what scheme will it be possible to get that money back?

We have heard from the minister that he has written to COSLA. I suspect that the reason why he has done so is that he knows that it is not possible to get the money back. If that is not the case, perhaps that can be covered in his summing-up speech.

Ben Macpherson: Will the member give way?

Jeremy Balfour: I am afraid that my time is almost gone.

We on these benches fundamentally believe that people know better what to do with their money than the Government does. Raising the single-person discount on council tax to 35 per cent would provide a huge boost to people who live alone and, again, it would keep hard-earned wages in the pockets of people who need them. That is a measure that the Parliament can, and should, implement now, with the powers that we have. If we were serious—

Ben Macpherson: Will the member take an intervention?

Jeremy Balfour: I am sorry. My time is almost up.

If the SNP and Labour were serious about their commitment, members of those parties would be supporting our amendment and would be doing something before the Parliament goes into recess.

The UK Government is taking that commitment seriously; sadly, others are not. I hope that we support the Conservative amendment, because it would do something practical that would affect people today, rather than just giving words of warmth that would do nothing to help people's circumstances.

The Deputy Presiding Officer: I call the minister, Ben Macpherson. You have up to four minutes.

16:50

The Minister for Social Security and Local Government (Ben Macpherson): Like many

others, I welcome the debate. To be honest, with the exception of the last contribution, I think that the debate has shown the Scottish Parliament at its best—MSPs working together to help the people we serve as much as we can at a time of real need. I particularly welcome the fact that members on the left and in the centre of the political spectrum are constructively collaborating to make a meaningful difference and to build a more just society, which is to be welcomed going forward.

That is why we welcome and support Labour's proposal, but we will be doing more by also considering how to effectively ensure that long-term empty homes, which are a blight on many communities, do not benefit from the £400 energy rebate. We will do so in conjunction with local authorities through COSLA. There will be a range of detailed considerations to work through, and we want to do that in a constructive way with local government in order to find the most effective method of ensuring that the £400 energy rebate for second homes and empty homes can be used to tackle the cost of living crisis in local communities.

We will work with COSLA to examine all options to recover that money through a council tax that will be levied on second homes and empty homes. We will also work with it to ensure that that is done in a fair and equitable way, and in a way that considers the demographics in Scotland. It is possible that any action to provide powers to councils to address those problems through council tax will require legislation, and we look forward to working with the Labour Party and others and having their full support for any necessary legislation that is required.

We are aware of the impact that second homes and short-term lets have in many communities, which is often raised as an issue when it comes to local residents being able to find homes to live in—a point that Willie Rennie made well. That is why we took action on short-term lets with planning and in creating a licensing scheme. Our long-term housing strategy, "Housing to 2040", outlines our intention to give local authorities the power to manage the number of second homes where they see that as a problem in their localities.

Since 2013, councils have been able to vary the discount against council tax for second homes and, in 2017, we changed legislation to ensure that council tax discounts for second homes either are no longer available or are in the hands of local authorities. We are taking action through the additional dwelling supplement of land and buildings transaction tax, and we will be reviewing that, as we committed in the budget to do.

Members have rightly asked that the Government must respond to the cost of living

crisis—and the Scottish Government is absolutely doing that. We have put in place a considerable package of support of almost £3 billion, which will contribute to mitigating the impact of the increased cost of living in households, as the Minister for Public Finance, Planning and Community Wealth set out at the start of the debate. Of course, we will continue to look to do more where we can with the limited powers and the constrained budget that we have.

To address the suggestion that was put forward by the Conservative Party, I think that it is important to state that increasing the single-person discount to 35 per cent would need to be financed by a budgetary cut elsewhere, because it would cost more than £100 million and it would not be means tested. Unfortunately, as is too often the case, the Conservative Party has brought an idea to the chamber of spending more, but it has not considered where that resource would come from in other parts of the budget. If it is interested in making a meaningful difference in debates such as this one, as the Labour Party has done, we need to see some more seriousness from the Conservative Party.

Miles Briggs: Will the minister take an intervention?

Ben Macpherson: No, I certainly will not.

The Deputy Presiding Officer: The minister is winding up.

Ben Macpherson: As others have said, we need to remember that the Westminster Government holds most of the powers that are needed to tackle the cost of living crisis. We have welcomed the initiative that it has taken, but it needs to do more in both the immediate and longer term by using its fiscal headroom and powers, including in relation to Alex Rowley's idea about the £20 universal credit uplift, and by taking action on investments, as Paul Sweeney mentioned, which matters are reserved.

The Deputy Presiding Officer: Minister, you need to conclude now.

Ben Macpherson: I thought that I had five minutes.

The Deputy Presiding Officer: It is four minutes.

Ben Macpherson: You said five.

The Deputy Presiding Officer: No, I said four.

Ben Macpherson: I do apologise, Presiding Officer.

I will conclude by apologising again and stating that we hope that members will support our amendment and then vote for the amended motion.

The Deputy Presiding Officer: I call Rhoda Grant to wind up the debate, for up to five minutes.

16:55

Rhoda Grant (Highlands and Islands) (Lab): The cost of living crisis is causing fear and alarm to many people, including those who were not managing previously and those who were just managing. Therefore, any assistance is very welcome. However, it is galling that this help, which is designed to help the worst off, is going to people who are affluent enough to afford a second home or, in some cases, multiple homes. That means that they receive double what those who are in need receive—nearly £10 million is going to those who do not need any help at all. Imagine what that money could do in the right hands to help those who so desperately need it.

We agree that the UK Government must go further, which point was made by Alex Rowley, Willie Rennie and many others. However, we must also use every intervention that is available to us here to help people who are struggling with the cost of living crisis.

We welcome the change of heart and the commitment from the Scottish Government to examine options with COSLA and to go further and look at the issue of empty homes. However, we ask—

Jeremy Balfour: Will the member take an intervention?

Rhoda Grant: I will turn to Mr Balfour's questions in a moment.

We ask that the Government moves very quickly, because it needs to let people know by this autumn what they will be facing for the winter ahead. I know that local authorities will be desperate for further income to help the most vulnerable in their communities, and they are best placed to do that.

There are points in the Conservative amendment that we would like to examine and debate further. However, as Willie Rennie pointed out, the amendment would delete the crux of our motion about clawing back some of the funding and diverting it to where it is most needed. Therefore, we cannot possibly support that amendment.

On Jeremy Balfour's direct questions, councils know the people who are living in second homes, so they can deal with that quickly and easily. They already have the powers to do it, it would not cost any more than the interventions that the Conservatives are proposing and, most important, local authorities know where to divert the money so that it goes to those who are most in need.

We have to act now because, as Mark Griffin talked about, this winter, people are facing the stark choice between eating and heating—or, as he said, between starving and freezing. Food banks are struggling to get supplies as people who would normally donate are struggling to feed themselves. We need to look again at how we ensure that people have enough food to feed themselves and their families.

Heating costs are also increasing, more so for people who are off the gas grid. It is no surprise that those who are off the gas grid are more likely to be in fuel poverty. Therefore, we must unite and ask the UK Government to ensure that assistance goes to people who need to fill a gas or oil tank.

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

Rhoda Grant: I do not have time to take an intervention, sorry.

Those who are off the gas grid face higher costs all round. I saw someone on Facebook today saying that a pack of Lurpak butter—hardly a luxury—costs £7.25. That is £7.25 for a pack of butter.

Private renters pay higher costs. They can live in homes that are not insulated properly and would need the landlord's permission to do anything about that, and we are seeing rental costs increase rapidly. We need to create a rent freeze.

Alex Rowley talked about older people and disabled people, who are at home longer and therefore face higher fuel costs. That also goes for people who may require equipment at home such as dialysis machines. Their bills are increasing.

Paul Sweeney called for restraint on profits that energy companies are making from this horrendous situation. Rather than demonising workers, who are trying to protect their standard of living and feed their families, we must look at the profits that are being made from this situation.

We urge the Scottish Government to act quickly. It is simply wrong that those who are affluent enough to own a second home get a greater share of the help that is available than those who really need it. The money must be diverted to where it can make the greatest difference: to those who are struggling with the cost of living crisis.

The Deputy Presiding Officer: That concludes the debate on cost of living support.

Social Care Charges

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-05111, in the name of Jackie Baillie, on delivering the immediate removal of non-residential social care charges. I ask members who wish to participate to press their request-to-speak buttons or put an R in the chat function now or as soon as possible.

Like in the previous debate, there is only a very little bit of time, so interventions will probably have to be accommodated largely within the time allocated.

17:02

Jackie Baillie (Dumbarton) (Lab): Every day, the cost of living crisis worsens. For a growing number of people, theirs is a choice between heating and eating, which is pushing people into debt and causing incredible hardship.

The United Kingdom and Scottish Governments say that they want to help people to mitigate those pressures, and rightly so, but there is so much more that they can do. Let me set out one of the things that the Scottish Government can, and should, do right now: it should end non-residential social care charges across Scotland. That was a pledge in Labour's manifesto and in the Scottish National Party's manifesto for the Scottish Parliament elections. It was also a recommendation in the Feeley report, which was commissioned and supported by the Government.

The cost of doing that is estimated by the Scottish Parliament information centre to be in the order of £51 million—a relatively small amount of money in the grand scheme of things, which will have a profoundly positive impact on those who require social care.

We know that disabled people are twice as likely as others to struggle to heat their homes. Nearly half—49 per cent—of all those living in poverty in the UK are either disabled people or live in a household containing a disabled person.

Then there are those who are elderly and receive home care. Many older people in my community have community alarms, so, should they have a fall, they can summon help quickly. It is a lifeline service that enables older people to remain in their own homes for longer, but as costs rose, so did the number of people giving up their alarms because they were unable to afford them on fixed incomes.

When I met unpaid carers recently, one woman described how her gas and electricity bills have gone up to £4,000 a year—and that is before the price hike that is due in October. She told me that

her husband is not eating due to his illness, and she said that she was glad, because it means that she can save money. What a terrible position to be in.

Many of those in receipt of social care—the elderly, those with learning disabilities and those with physical disabilities—will pay charges, and they simply cannot afford to do so.

We all understand that heating cannot be switched off during the day for those who are housebound. Many do not go outside even if they want to, because Covid-19 cases are rising and new variants are posing a real threat to their wellbeing. However, we in this Parliament can do something about that.

Earlier this week, Labour-led West Dunbartonshire Council announced a £5 million support package to help residents with the cost of living crisis. That puts money into people's pockets and saves them money as well. A central part of the council's plan was to scrap non-residential social care charges, saving vulnerable people in my area £1.5 million. That is the difference that Labour makes in power.

There is absolutely nothing to prevent that from happening now in every council in Scotland. I will come on to describing how that can be done, but I first want to deal with the Scottish National Party's notion that we need to wait for the national care service before doing anything. Of course, we will examine the detail of the national care service in the weeks and months to come, but there is absolutely nothing standing in the way of the SNP ending charging now. That does not depend on a national care service—care charging does not even get a mention in the National Care Service (Scotland) Bill—it depends entirely on political will and resources. I say to the minister: no more twiddling your thumbs; no more spin and distraction. Get on and do it now because those needing care are desperate. The cost of living crisis demands that you act now.

Here is how the minister can do it. Presiding Officer, it is amazing what you discover when you go looking for it. Eye-watering sums of money are currently sitting as reserves in integration joint board accounts across Scotland. Reserves started to build up in 2020-21. Much of that was Covid funding and was difficult to get out the door. I think that we all thought that that would be spent in the following financial year. However, rather than the reserves going down in 2021-22, they have increased exponentially, all at a time when services were withdrawn as a result of the pandemic and unpaid carers were left to shoulder the burden.

Gillian Martin (Aberdeenshire East) (SNP): That is a laudable idea, but is Jackie Baillie

suggesting that we tell IJBs how to use their reserves?

Jackie Baillie: The Government, by creating a national care service, wants to tell IJBs what to do. I am suggesting that, given that the Government has given IJBs that money, it can tell them what to do with it—or it can at least encourage them in what to do with it. [*Interruption.*] Let me tell members why. Those reserves have increased exponentially at a time when services were withdrawn. I will illustrate my point by referring to South Lanarkshire health and social care partnership, which, in 2020-21, was sitting on £30 million of reserves. In 2021-22, that figure is £85 million. The cost of scrapping care charges in South Lanarkshire is £2 million, which is a tiny amount. In West Dunbartonshire, the reserves are sitting at £32 million, while the cost of scrapping care charges is £1.5 million, which is an equally tiny amount.

The picture is the same across the board—the reserves in Glasgow, Edinburgh, Aberdeen and every other council have risen substantially. Scrapping non-residential care charges can be done now. The SNP has the power to do it. It does not require constitutional change; it simply requires political will.

For the people who get social care but need to pay for it, their struggle to make ends meet is becoming increasingly difficult. Older people are cancelling their emergency alarms because they cannot afford them any more. They are risking their health and wellbeing. Do not make them wait any longer. Scrap non-residential care charges now.

I move,

That the Parliament believes that the Scottish Government should end all non-residential social care charges in the current financial year given the growing pressure that the cost of living crisis is putting on the most vulnerable in society, and the level of reserves sitting with health and social care partnerships.

17:09

The Minister for Mental Wellbeing and Social Care (Kevin Stewart): I thank Labour for bringing forward this critical issue for debate today and for providing me with a welcome opportunity to set out the Government's key social care support policies.

Earlier this week, we set out our legislative proposals for the creation of the national care service. Through that, the Scottish Government has embarked on the most ambitious reform since the creation of the national health service.

The introduction of the National Care Service (Scotland) Bill, in line with the Bute house agreement, starts the process of creating the new

service, which will end the postcode lottery in adult social care support in Scotland.

The Government is introducing those ambitious reforms, but we do not want to wait for the national care service to be up and running before we act. The Scottish Government appreciates that the costs of care can be high for individuals and we are absolutely committed to the removal of non-residential charges for social care support during this session of the Parliament. That is why it was an SNP manifesto commitment, as Ms Baillie already mentioned, and why it was included in the programme for government.

Jackie Baillie: Will the minister tell us when non-residential care charges will be ended?

Kevin Stewart: I will lay out some of the ways that we will do that as we move forward.

The Government has an excellent record of improving the lives of the most disadvantaged in our society, as shown by the extension of free personal care to all adults who need it. I acknowledge the intention of West Dunbartonshire Council to remove non-residential social care support charges. However, to do it in a uniform, fair and consistent way across Scotland requires legislation and the Government's intention is to do that within the next year.

I find it a little bit bizarre that, yesterday, Ms Baillie was talking about a power grab and centralised control in relation to the national care service but, today, she wants us to compel IJBs, health and social care partnerships and councils to remove non-residential charges. You cannot have it all ways, Ms Baillie. Your position on Tuesday is somewhat different from the position today.

The Deputy Presiding Officer: Speak through the chair, please.

Kevin Stewart: I will set out our track record of actions that we have taken.

Through the budget for 2022-23, the Government has allocated almost £3 billion to a range of supports that will contribute to mitigating the impact of the increased cost of living on households. That includes work to tackle child poverty, reduce inequalities and support financial wellbeing, alongside social security payments that are not available anywhere else in the UK.

The Government has already committed itself to increase spend on social care by 25 per cent by the end of this parliamentary session. Funding of £846.6 million will be transferred from the health portfolio this year to local authorities for a range of investments in health and social care and mental health services.

We have provided funding of £200 million to local government to support investment in health

and social care, embed improved pay and conditions and deliver a £10.50 minimum wage for all adult social care staff in commissioned services from 1 April 2022. That represents an increase of 12.9 per cent over the year. We are working with the fair work in social care group, which has developed a set of recommendations for minimum standards in terms and conditions that reflect fair work principles.

With our social security powers, we have improved support for Scotland's unpaid carers as a priority. Our carers allowance supplement was the first payment made by Social Security Scotland and increases carers allowance by more than 13 per cent, with eligible unpaid carers receiving a payment every six months. Since the launch of the supplement in 2018, around 659,000 payments totalling £188 million have been made. Unpaid carers who are continuously in receipt of the benefit will have received over £2,270 more than equivalent unpaid carers in the rest of the UK.

Pam Duncan-Glancy (Glasgow) (Lab): Will the minister set out what financial support he will give to the 1 million carers who are not accessing carers allowance and, therefore, the carers allowance supplement in Scotland?

Kevin Stewart: We encourage everyone who is eligible to apply for the allowance. We will continue to review our policies on unpaid carers and will announce more on that in the near future in terms of our strategy.

We announced an additional £4 million in January to help organisations working with unpaid carers to put expanded services in place during winter. We have also invested an additional £20.4 million for local carer support in 2022-23, bringing total investment in implementation of the Carers (Scotland) Act 2016 to £88.4 million per year.

We recognise that the cost of living crisis has an impact on everyone in Scotland, including people in need of social care support, the workforce and unpaid carers. I call on the UK Government to play its part, as we have had very little information on how it intends to address the pressures not only on the social care sector but on communities across Scotland.

I have set out the ways in which the Scottish Government is leading the way in the UK in improving the lives of those who are most disadvantaged in our society, as well as the lives of those who care for and support them. The Government will continue to provide that support.

I move amendment S6M-05111.2, to leave out from "financial year" to end and insert:

"parliamentary session; welcomes the recent introduction of the National Care Service (Scotland) Bill, in line with the Bute House Agreement, and supports the creation of this

new service, which will end the postcode lottery in adult social care in Scotland; regrets that the UK Government's welfare cuts, and retention of 85% of spending on social security benefits, including low-income benefits, and employment powers, including the minimum wage remaining with the UK Government, is letting down the most vulnerable in society by failing to properly address the cost of living crisis and its causes; notes that the Scottish Government has increased eight Scottish social security benefits at double the rate that the UK Government uprated benefits within its control; understands that the overall budget available in Scotland is largely determined by the spending decisions of the UK Government, and considers that the Scottish Government is already investing in mitigating the impact of UK Government control, tackling the cost of living, and tackling poverty."

17:15

Sandesh Gulhane (Glasgow) (Con): It is nice to hear some details about the national care service from the SNP, but that has come after the photo opportunity and an announcement to the press. For such a big announcement, perhaps a ministerial statement would have been more reasonable than the matter being raised during Opposition business, but this is not the first time that that has happened, is it? [*Interruption.*] It seems that SNP members would like to have further conversations, but they have had their time to talk, and they did it in the press.

Seventy-six days ago, Scottish Labour published its local elections manifesto, and the motion that we are debating today appears to be consistent with most of Labour's desired aims—I say "most", not "all", and I will come back to that.

Although we are sympathetic to the principle of ending non-residential social care charges, let us consider the financial facts. The SNP has cut local government funding by 20 per cent in real terms since 2013, and local government faces another real-terms cut of £800 million by 2027. Getting the financials right is vital for sustainability.

A commitment to focusing on driving up standards of care is also important. In a recent debate, a Labour front-bench spokesman underscored the importance of creating a national care service to deliver change, but we now detect some inconsistencies in Labour's position. Yesterday, after the cabinet secretary unveiled to the press his master plan for a new service, Labour seemed to wake up and reject what would amount to the biggest power grab in Holyrood's history since the introduction of the Coronavirus (Recovery and Reform) (Scotland) Bill. We are pleased to see Jackie Baillie roll back on what had been said.

Jackie Baillie: If you had bothered to actually—

The Deputy Presiding Officer: Speak through the chair, please, Ms Baillie.

Jackie Baillie: If the member had bothered to consider what was in Labour's manifesto and what Labour has believed in for 10 years, he would know that we believe in local accountability and local control, which are completely missing from the cabinet secretary's plans.

Sandesh Gulhane: As I said, Jackie Baillie rolled back on what was said earlier by a front-bench spokesman.

There is a crisis in social care provision in Scotland, but the last thing that we need right now is a major bureaucratic overhaul of the current system. I know that the SNP-Green Government has been on the end of some uncomfortable truths from Audit Scotland, but here is another one: Audit Scotland says that reform of social care "cannot wait" for the Government to set up its national care service. Front-line improvements to essential care services are well overdue; some things must be done now.

Some things are just way off the scale financially. Setting up the SNP-Green Government's national care service will cost about £1.3 billion, which includes almost £0.5 billion to establish a new centralised body—that is, if the Government can actually deliver a budget, which is debateable. For context, I note that £0.5 billion would cover the salaries of 14,000 qualified nurses. Instead, the national care service is expected to hire up to 700 new staff—mainly managers and administrators. It will be staffed mainly by civil servants, not by social care professionals. We simply cannot afford for money of that magnitude to be diverted from front-line local services. That will be compounded by the loss of local decision making and accountability, financial instability and the risk that upheaval will have a negative impact on the most vulnerable in our society.

Who will sit at the bureaucratic pinnacle of this huge new Government entity? That is not entirely clear. We can only assume that it will be the same cabinet secretary who presides over the worst accident and emergency waiting times, cancer services in crisis, dentistry on a cliff edge and failed workforce planning.

Surely even fans of centralisation should be worried. The Government's own policy memorandum accepts that there is a risk that the proposed national care service could lead to more bureaucracy, less input for people who are accessing care and a poorer service for rural and remote areas. In addition, concerns exist regarding "staffing ... retention and morale", which seems all too familiar from the general practitioner contract.

Before charging ahead with a national care service, would it not be more astute for the

Government to learn lessons from the conclusions of the Scottish Covid inquiry? We need the SNP-Green Government to abandon the national care service plan, which would scrap local accountability and impose total ministerial control, as a direct attack on localism. The Scottish Conservatives would fully support a local care service that would ensure that support is delivered as close as possible to those who need it.

The SNP-Green Government should be putting every penny into local care services, and supporting councils with proper funding so that they have more freedom regarding non-residential social care charges. We believe that that is real devolution.

I refer members to my entry in the register of members' interests, as I am a practising NHS GP.

I move amendment S6M-05111.1, to leave out from "believes" to end and insert:

"calls on the Scottish Government to properly fund local authorities so that they have more freedom when it comes to non-residential social care charges; regrets that the Scottish Government's proposals for a National Care Service could cost up to £1.3 billion to deliver, and that much of this will be spent on establishing structures and administration when what the care sector needs right now is stability to get back on its feet; understands that the Scottish Government's proposals will leech funding away from the frontline; regrets that the National Care Service represents a direct attack on the competence of local authorities, and calls on the Scottish Government to scrap these plans and introduce a local care guarantee that would ensure that care is delivered as close as possible to those who need it."

17:21

Alex Cole-Hamilton (Edinburgh Western) (LD): I am grateful to rise to speak for the Liberal Democrats in the debate, and I am grateful to my friend Jackie Baillie for bringing it to the chamber. I thank her, and Scottish Labour, for confirming yesterday that the Labour Party will join the Scottish Liberal Democrats in our opposition to a national care service. It should say a lot to the Scottish Government that the Labour Party, which has long campaigned for a national care service, does not recognise, in this Government's ill-thought-out plans, the vision for which it has campaigned for so long.

Gillian Martin: Will the member take an intervention?

Alex Cole-Hamilton: I must make progress; I will draw the member in shortly.

In 2019, Nicola Sturgeon, in her keynote speech at the SNP conference, said that the principle of free personal care is the same as that for healthcare: "if you need" it, "you should get it." She went on to say:

"However, despite that principle many people—of all ages—still have to pay for non-residential ... care services."

I will give way to Gillian Martin.

Gillian Martin: I am very grateful. Does Mr Cole-Hamilton agree with the findings in the Feeley report?

Alex Cole-Hamilton: I agree with many of the findings in the Feeley report, but I do not think that the solutions to what it contains will be found in the Government's ill-thought-out measure for the creation of a national care service. I will come to that in my remarks, if I am allowed to make progress.

The First Minister went on to explain that,

"charges can be a barrier to people accessing the support they need ... if people can't get that support in their ... homes, they are more likely to end up in hospital."

I agree with her. She went on to pledge that the SNP, if re-elected, would scrap those charges for everyone. That was not just a one-time promise—the First Minister said it repeatedly in last year's election campaign. As we speak, however, thousands of people across Scotland are being forced to pay for care.

We are talking about care that is essential to people's wellbeing day to day. Non-residential care includes personal care such as help with personal hygiene and getting dressed and help with preparing food and eating it. It also means help with housework and community alarms. Councils currently have the power to charge for many of those services, and every year they bring in more than £40 million by so doing.

I will give one example. In Glasgow, some people are forced to pay £17 an hour for home care services. That financial barrier can sometimes lead to people going without the care that they need, or even foregoing other basic necessities to be able to afford the cost. Amid the cost of living crisis, that is sadly not surprising, and it serves to underline the need for those charges to be scrapped without further delay.

Many people would have been relieved to hear the First Minister promise to do something about the situation and yet, despite the SNP being re-elected last year, there are no signs of action on what was one of its key election promises. People are forking out sometimes hundreds of pounds a month for care. They must be wondering what this Government is waiting for. One could not blame them for questioning how the Government has found the time to satisfy its obsession with a second independence referendum but not to help people meet their most basic needs without suffering financially.

This Government has a habit of kicking the can down the road when it comes to reforming social

care. For this Government, the pot of gold at the end of the rainbow seems to be a national care service—the Government thinks that people just cannot wait for it, when in fact it is the wrong thing for them to be waiting for.

I have said before, and I say to Gillian Martin now, that the national care service is dressed up in the clothes of our most treasured national possession, the NHS—an institution that was forged in the rubble and poverty of the second world war and which is free at the point of delivery. However, it is part of this Government's mission to centralise things, and the service will not be free at the point of delivery. There is no comparison with the NHS.

The Government needs to get on with taking the obvious action that would benefit our constituents today, not in an indeterminate number of years as part of a reorganisation that shackles services to Government ministers who have already proven their incompetence in this area.

Thousands of our constituents receive non-residential care. For their sake, we must not wait a moment longer to end the financial burden that they have been lumped with for far too long.

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

17:25

Carol Mochan (South Scotland) (Lab): This is an important and timely debate with an immediate purpose. It is the kind of debate that we should be having more of in the Parliament, but that, sadly, we rarely do. The Government does not often want to debate issues such as this—issues that it has made commitments on but that it is not prioritising, and issues that it could easily achieve.

Everyone in Scotland knows that social care is really being held together by the hard work of overworked and underpaid carers across the sector, and that they hold it together every day with little support from central Government. If you talk to workers on the front line, you feel that there is very limited support from this Government.

On top of that, those who require care are often some of the worst-hit by inflation and the general increase in the cost of living. Unfortunately for them and so many others, we are now well into the depths of the cost of living crisis, which is already biting hard for families all across the country. Those same people are asking for help.

This Government's record of supporting local government is very poor. I think that we should have some honest debate and discussion around that. This Government has presided over the slashing of care packages and the withdrawal of respite care. It has failed to immediately

implement a number of key Feeley review recommendations, including that of universal non-residential care. All of those things would have made such a crisis much more bearable for those with care needs and their families. Let us not forget that it was this Government that set up the Feeley review, so why are we still awaiting its implementation? Far too long a time has passed.

Kevin Stewart: The reason why we are awaiting implementation is because we consulted on the recommendations of the Feeley review. Some 78 per cent of the folk who responded to that consultation back the Government in terms of its aims.

Carol Mochan: They back the Government implementing what is in the Feeley report, and so we must move to make sure that those things are implemented for people at pace.

It is a question that I ask in this chamber almost weekly: when will the Government implement the commitments that it has made?

That is why Scottish Labour is calling for the end of all non-residential social care charges across the current financial year, and we are calling for it to happen right now. We simply cannot expect people to bear the brunt of the Scottish Government's constant hand wringing for much longer. We are in the midst of the worst cost of living crisis in living memory, and people need support from this Government now. That is not too much to ask—it was, after all, in the SNP's manifesto last year. I remember the days when breaking a manifesto promise was considered to be unacceptable, both from the Opposition benches and the Government back benches.

As my colleagues have already mentioned, this is not simply a request from Scottish Labour that we are not willing to do ourselves. Only this week, as we have heard, Scottish Labour-run West Dunbartonshire Council unveiled an ambitious cost of living plan, which includes ending non-residential social care charges. Imagine if that replicated on a national scale.

Here we see forward-thinking work going on at a local level, and yet the SNP's proposed vision for a national care service strips councils of most of their powers in this regard. I have heard it said that, before long, under this Government, local government will hardly be able to cut ribbons, never mind anything else. The commitment that this Government gives to local government is a disgrace.

It is clear that we should be doing more. Today, we should be backing Labour's motion to end non-residential care charges.

17:29

Gillian Martin (Aberdeenshire East) (SNP): I note that West Dunbartonshire's Labour-run council has said that it will do what the Labour motion proposes. I do not know whether that means using reserves or whether the money is just in its budget.

Obviously, I would be interested in Aberdeenshire's integration joint board looking to any reserves that it has to ease a number of burdens on my most vulnerable constituents and topping up the assistance that the Scottish Government has already given to ease the cost of living burden that was outlined in the previous debate, so I did a bit of digging.

The integration joint board in Aberdeenshire has £49 million in reserve. I asked myself what contingencies that money was for, and I have the answer here. The money is for a number of things: staff wellbeing, money in reserves, some mental health programmes, a primary care improvement fund, and alcohol and drug service work has been earmarked. The largest sum is £25 million for on-going Covid response contingencies. I do not know the detail in that and, once I do look at the detail, I might not agree with all the budget decisions that have been made. However, that is about my SNP council group disagreeing with the Tory-Liberal Democrat administration in its own setting, because that is local democracy.

An SNP administration would certainly have done things differently than our Tory counterparts. Indeed, in SNP-run Perthshire, the council immediately put a £700,000 package in place to ease the cost of living strains of vulnerable people there. In a previous debate, Ruth Maguire pointed to North Ayrshire Council, which is doing something to ease child poverty. However, I will bear in mind Aberdeenshire IJB's reserves for conversations that I will have with it in the coming weeks about things that I think that it should be doing.

Here is what really bothers me about the Labour motion. It is not about what Labour wants to do with regard to helping people, which, as I said to Jackie Baillie, is laudable. However, it proposes that we should tell IJBs around the country what they should spend their budget on after their budgets have been set. Say that we did that—what happens next year? Do the charges come back in? Do we decide that for them too?

IJBs manage their services within their budgets. Is Labour saying that we should tell them that the Scottish Parliament and Government should interfere in what they do with their budgets, and tell them what they should do with their reserves?

Jackie Baillie: The Scottish Government is already the final arbiter of decisions that IJBs

make, which go to the minister. The Scottish Government already directs how they spend money, through ring fencing. Ultimately, the Scottish Government is in control.

Gillian Martin: We have never told them how to use their reserves. Yesterday, I read a newspaper quote about the proposals for a national care service—a national care service that was recommended by the Feeley review and that Jackie Baillie tweeted last year was Labour's idea. The quote says that

"What this represents is nothing less than the biggest power grab in the history of Holyrood—one that threatens the very existence of local government."

Who said that? Jackie Baillie, again. Is the motion the sound of a power grab being advocated by Labour? Although I have sympathy for IJBs taking decisions to remove care charges—I commend those who might choose to prioritise that—that is their decision, not ours.

What is this really about? We are very used to Labour asking the Scottish Government to spend money without giving detail of where it should come from. I have a list here: free residential care for over-65s is £412 million; expanding eligibility criteria is £436 million; non-residential charging is £51 million; £15 an hour wage for all social care workers is £1.75 billion; increasing respite support is uncoded; re-opening the independent living fund is £52 million. The total is £2.68 billion, with never any idea about where that money should come from. [*Interruption.*] It is one thing to do that. [*Interruption.*] That is the shoogly peg that Labour puts its duffle coat on every time that it has a debate, but telling local authorities how to spend their budget is even shooglier in my mind.

The Deputy Presiding Officer: I encourage front-bench members not to engage in heckling during their members' speeches.

17:33

Katy Clark (West Scotland) (Lab): The debate is, of course, about what we can do now given the challenge that we face, to support some of the most vulnerable in society with the level of reserves that sit with health and social care partnerships. There seems to be a consensus across the chamber that there should be a removal of non-residential social care charges, which have sometimes been called a care tax, but the debate seems to be about when that should happen.

We need an extensive debate about the Scottish Government's proposals for a national care service. I remind Gillian Martin and others that, as proposed, it will be a centralised service. I have campaigned for a national care service but the national care service that I campaigned for

would be a not-for-profit care service that respects the role of local government.

That is not primarily what the debate is about. We know that there has been a slashing of care practices, that care charges are an issue, and that there has been a withdrawal of respite care. The motion proposes an end to all non-residential social care charges in the current financial year. It is not about the future configuration of care in Scotland, but it is about priorities and what we think that the Parliament should be prioritising.

Jackie Dunbar (Aberdeen Donside) (SNP): Will the member take an intervention?

Katy Clark: I do not really have time to take an intervention. I am happy to take interventions but I do not think that there is time.

Scottish Labour is prioritising, and is saying to the Parliament that we should prioritise, this particular action, given that we see it as one of the priorities that we should be setting.

We already know that there are many good examples of councils that are taking steps to address the issue. For example, as has already been mentioned, while it was under a Labour administration, North Ayrshire Council brought forward flat rate charges regardless of income to include meals at homes and telecare. As has been said, earlier this week, West Dunbartonshire Council unveiled an ambitious cost of living plan that includes ending non-residential social care charges and which would put more than £1 million back into the pockets of some of the most vulnerable people.

We know from SPICe that the cost of removing charges would be in the region of £51 million, and we already know that charges for services that are not considered to be free personal care vary tremendously across Scotland, with different councils having very different charging policies.

The national care service will address many of those issues, but as we also all know, it will be a number of years before any national care service is in place. The debate is about what we can do in this financial year, within the budgets that exist, that will help people who are in real need and support some of the most vulnerable against a backdrop of a massive cost of living crisis. I ask colleagues to support the motion.

17:37

Tess White (North East Scotland) (Con): The reality is that many of us will have care needs at some point in our lifetimes. At other points, we might need to deliver care to a loved one. However, it is clear that the status quo in social care cannot continue. We have seen several initiatives from this SNP Government to address

the worsening situation, but social care has suffered from a gap between what was promised and what has been delivered.

Just this week, a GP from Laurencekirk healthcare centre in my region reported that social care shortages mean that

“things are becoming potentially unsafe.”

A general manager from NHS Grampian added:

“the biggest challenge we have is access to care packages ... That gap of unavailability of care packages for these patients slows down the whole of the system.”

Figures show that in Aberdeen city, 38 per cent of care services are reporting vacancies. In Aberdeenshire, the figure is 34 per cent; in Dundee, it is 37 per cent; and in Angus, it is 21 per cent. The main reason why services find it hard to fill vacancies is that there are too few applicants with experience.

The social care system is under immense strain from a pandemic, but, as the Feeley review emphasised,

“the vast majority of the challenges we are addressing ... pre-dated Covid-19 and will outlive the pandemic”.

That has happened not just under the SNP’s stewardship; but under Scottish Labour’s.

Scottish Labour’s proposals and the SNP-Green Government’s National Care Service (Scotland) Bill failed to measure up to the significant social care challenges that face us, from an ageing population that is putting more pressure on supply to poor workforce planning. The income from non-residential social care charges is invested in high-quality social care services.

Kevin Stewart: Will the member give way?

Tess White: In its guidance, the Convention of Scottish Local Authorities cautions that eliminating charges will “restrict” the quality of support that is provided to the general population who rely on such services. Simply put, Labour’s plan risks taking money away from the front line.

Tess White: Meanwhile, the SNP-Green Government’s National Care Service (Scotland) Bill will pave the way for a centralising, bloated bureaucracy that will be established by the end of the current session of Parliament, years from now. At an estimated cost of £1.3 billion, the creation of such a bureaucracy will divert precious resources away from the front line. Hundreds of back-office staff will be employed to oversee a top-down system that scraps local accountability. *[Interruption.]* The minister might not be interested in what I have got to say, but it is respectful to at least listen to contributions.

Why should care in Aberdeenshire, Angus, Aberdeen and Dundee be dictated from St Andrew's house in Edinburgh?

Earlier this year, Audit Scotland stated firmly and unequivocally that

"A clear plan is needed now to address the significant challenges facing social care in Scotland based on what can be taken forward without legislation".

The Scottish Conservatives have published commonsense policy recommendations for how care can be improved now, without top-down reform, which include a local care guarantee to make sure that no individual has to access care miles away from their community. It is important that individuals have access to care that is not miles away from their community, family and support networks. At the very least, I hope that there is consensus on that point in the chamber this afternoon.

17:41

Emma Roddick (Highlands and Islands) (SNP): Yet again, we are debating a Scottish Labour motion that completely fails to recognise the fact that the Scottish Government does not have fiscal autonomy. Ending all non-residential social care charges in the current session of Parliament will be a huge achievement, and it is a bold ambition. I can respect Labour saying, "We like what you're doing, but do it faster." That is a healthy pressure for an Opposition party to put on a Government. I think that we all want to get support out as quickly as possible to people who need it here and now. It is just a shame that Labour will not lend support to the SNP's calls for further fiscal powers to be devolved to allow borrowing and other decisions that would make more money available for public spending or, otherwise, say what spending in other areas it thinks should be cut. That is what makes Labour's demands unrealistic.

Jackie Baillie: I am disappointed that the member did not listen to my earlier words. We set out exactly where the Scottish Government could get the money. We explained that it has all the powers that it needs to end all non-residential social care charges now, and that no further constitutional change is required.

Emma Roddick: Later in my speech, I will address the issue of taking money away from IJBs to pay for that.

Labour's motion also completely fails to recognise that the money that we are able to spend in Scotland is tied to public spending in the rest of the UK, which is overseen by a right-wing Tory Government. This year alone, more than £770 million is being spent by the Scottish Government simply on mitigating harmful Tory

welfare decisions that have been taken down south. We could have spent that £770 million on other things.

Craig Hoy (South Scotland) (Con): Does Emma Roddick welcome the Chancellor of the Exchequer's intervention to support Scots through the cost of living crisis? When Kate Forbes asked for £1,000 for the most vulnerable households in Scotland, the chancellor brought forward £1,650 for those households. Will Emma Roddick join me in thanking the chancellor and the UK Government for the full support that they have provided to Scotland for the cost of living crisis?

Emma Roddick: I welcome any measures to help people with the cost of living crisis, but I take issue with the way in which such action is taken by the UK Government. I take issue with the fact that we can never rely on how much money we will get from down south, which means that we have to change our budget accordingly.

The Tories have complained about money being spent on an independence referendum. The estimated spend on a referendum next year is £20 million. That means that we could hold 38 referendums for the cost of mitigating one year of harmful Tory welfare policies such as the bedroom tax and still have change left over for a Scottish Tory leadership election. Therefore, I suggest that the Tories should have a look at their own priorities.

Pam Duncan-Glancy: Will the member take an intervention?

Emma Roddick: I am sorry, but I think that I am done with interventions.

The Feeley report presented huge challenges, and the Scottish Government is rising to those challenges. Free personal and nursing care payments have had above-inflation increases over the past two years—an 18.3 per cent increase since April 2020.

That is not the action of a Government that does not recognise the cost of living crisis and the increasing cost of care. Nor is the introduction of the Scottish child payment and its doubling and then increasing again the action of such a Government; nor is the raising of benefit rates, and nor is the genuine request for further powers over our finances, energy policy and employment, so that the SNP Government can do even more to help the people who most need help.

The national care service is the most ambitious reform of a public service since the NHS was introduced. I represent the Highlands and Islands and I know that there are concerns that are still to be addressed and views that are yet to be heard and explored about how the system will work. There is work to be done to consider the needs of

remote and rural areas and how we can protect high-quality provision that is built on local knowledge, where it exists, and reassure people who are happy with the care that they currently receive that the policy will be good for them.

That brings me to an important aspect of the title of Labour's motion: the word "immediate". It is not appropriate to rush the measure through without proper consideration. That would put the people that I represent at risk of not receiving the standard of care that people elsewhere receive. They would be at risk of the postcode lottery that the national care service is being brought in to get rid of.

17:46

Gillian Mackay (Central Scotland) (Green):

The cost of living crisis is placing incredible pressure on people across Scotland. Inflation hit 9.1 per cent today. People are being plunged into poverty by cuts to universal credit and the benefit cap. They face rising energy bills because of the Tories' failure to implement price controls or transition away from unsustainable fossil fuels such as gas, as well as rising food prices, due to Brexit.

Just today, the Resolution Foundation published a study that reveals that Brexit is making the cost of living crisis worse, with the average worker in Britain on course to lose £470 in pay each year by 2030, after rising living costs are taken into account.

I have spoken in this chamber about the impact of the cost of living on unpaid carers. As co-convenor of the cross-party group on carers, I have heard from carers about the effect on them and the people they care for. Carers are facing rising living costs, but many carers do not have the option of taking on more work, due to their caring responsibilities. The situation is exacerbated by the fact that, earlier in the pandemic, many people's care packages were reduced or stopped and carers took on more responsibilities as a result.

Carers might face additional costs that relate to home adaptations, personal protective equipment and other equipment, transport and cleaning supplies, the cost of which is also rising.

People who develop care needs as a result of a new diagnosis will experience the double pressure of having to reduce their working hours or leave their employment while incurring new, care-related costs. Research by Marie Curie found that being terminally ill and reaching the end of life can substantially increase the risk of poverty, not just for the person who is terminally ill but for the carers and family members who look after them.

Current social care charging arrangements can be difficult to navigate. Rules around free personal care can cause confusion, particularly where they relate to the eligibility criteria and what qualifies as free personal care, which varies across the country. For example, personal care can cover personal hygiene but not laundry.

Not just the charges but the systems that are behind them create issues for people. That is why we need the large-scale reform that the national care service will deliver. The independent review of adult social care found that charging for services and the support that is needed presents major issues for many people, as it reduces their income and limits their options and their control over what they want to do with the support that is put in place.

That is why the Greens and the Scottish Government have committed to the abolition of non-residential social care charges as part of a national care service that is built on human rights and lived experience. We are working towards that as a priority and the policy will be implemented during this parliamentary session. I am confident that if it can be done more quickly, it will be.

I welcome the commitment from West Dunbartonshire Council. We in this Parliament often talk about sharing best practice. We heard this afternoon from members such as Gillian Martin and Ruth Maguire about other things that councils are doing to help with the cost of living crisis. I hope that all those measures, including the approach of West Dunbartonshire Council, are being shared, via COSLA, to ensure that councils share best practice and ideas that benefit their constituents.

The Scottish Greens remain committed to the ending of non-residential social care charges. We will work with the Scottish Government to bring the measure forward as soon as possible.

17:49

Stuart McMillan (Greenock and Inverclyde) (SNP): I will take a different perspective on the issue that we face. It is important to acknowledge that improving health and social care outcomes for patients relies on two things: ensuring that people who require those services can access them, regardless of income or location, and ensuring that the workforce is supported to carry out its jobs.

The Scottish Government has already expanded free personal and nursing care to everyone who is assessed as needing it, and the national care service will go even further. The National Care Service (Scotland) Bill, which was introduced this week, proposes a national wage for carers to ensure that the value of the wages of our social care workforce better reflects the work that they

do. However, we need to consider how the continued impact of the pandemic, and now the impact of the cost of living crisis, as indicated in Labour's motion, affect health and social care staff.

As fuel prices soar, people who rely on their own transport for work, such as carers and home care staff, have to absorb the additional cost of fuelling up. That is why I have written to the Chancellor of the Exchequer asking for the mileage rate to be uprated for health and social care workers until such time as fuel prices reduce. The 45p rate is set at UK level, and the Chancellor providing a limited and focused measure to increase the 45p mileage rate would have a positive outcome for my constituents, the constituents of every MSP and all constituents across these islands.

Willie Rennie and Alex Rowley spoke in the earlier debate about targeted measures. What I propose is exactly that; it need not be a constitutional matter. The idea came about at one of my regular surgeries, when Frances Poole came to raise a range of issues with me. Frances is a home care worker who receives the 45p mileage rate, and she told me that it covers less and less of the fuel that she needs to visit patients in their homes, never mind the wear and tear on home care workers' vehicles.

We all know that staff recruitment and retention is an issue in the social care sector, largely due to Covid-19, and in some areas, Brexit. Without an increase in the standard mileage rate, I fear that some social care staff may have no option but to look for employment elsewhere if they cannot afford to get to work due to fuel costs. If the standard mileage rate is not increased, it will also be harder to recruit staff.

My Greenock and Inverclyde constituency will be one of the constituencies that are hardest hit by home care challenges. Inverclyde has an older population that is forecast to continue to grow older for the next two decades, so improving the working conditions of non-residential home care workers is vital. Christine Grahame was correct when she said in the earlier debate that decreasing the VAT rate is "a sticking plaster". I agree with her, and I accept that increasing the mileage rate is also a sticking-plaster approach, but home care workers cannot wait until Westminster fundamentally changes its funding approach.

The SNP Government has taken a number of important steps to improve social care through the introduction of health and social care integration, self-directed support and the Carers (Scotland) Act 2016. In addition, on 1 April 2019, free personal and nursing care was expanded to

everyone under 65 who is assessed as requiring it.

Many measures have been taken, but it is clear that there is still much more to do. I believe that members across the chamber value our home care workers. The chancellor has an excellent opportunity to make a fundamental change that could help home care workers across these islands now.

17:53

Craig Hoy (South Scotland) (Con): This has been a full debate, and I thank colleagues for their contributions. I start by focusing on Labour's calls for the removal of non-residential care charges. I heard what Jackie Baillie said about reserves but, given the savage SNP cuts to front-line budgets, whether that proposal is achievable during a cost of living crisis is questionable. Front-line services are suffering as a result of SNP mismanagement but, rather than raiding the reserves of cash-strapped IJBs, would it not be better for the SNP Government to fund Scotland's councils fairly?

In a spirit of localism, I ask Labour whether it should be the role of the Parliament or of democratically elected councils to make the final call on charges. That is just a thought.

As our motion makes clear, we believe that councils should be given the financial headroom to fully fund services. Only by doing so can we ensure that they have the funding to remove non-residential care charges wherever that is prudent and possible—[*Interruption.*]

The Deputy Presiding Officer: I am sorry, Mr Hoy. Could members on the front benches please stop giving a running commentary?

Craig Hoy: In addition to the issue of non-residential care charges, the debate has focused on wider and very important issues. The SNP has spent years hollowing out Scotland's councils. Budgets have been cut by 20 per cent in real terms since 2013. With its plans for a national care service, the SNP is mounting a full-frontal assault on council powers. As COSLA has said, the proposed legislation on that removes local democratic accountability and passes to ministers complete control over social care, children's services, social work and drug and alcohol services.

The SNP is punch drunk on centralising power. However, as Sandesh Gulhane and Tess White made clear, we want to see a policy that is based on global care provision, with a local care guarantee at its heart. Only through localism can we meet future care needs, including the issue of non-residential care charging.

Social care in Scotland is in crisis and so, too, is our NHS. Many of the problems in our NHS stem from SNP problems in social care. Record levels of delayed discharge are impacting on patient flow, and the real risk now is that we waste the next four years by diverting precious resources away from the front line.

Stuart McMillan: Will the member take an intervention?

Craig Hoy: I will not take an intervention, because I do not have time.

The SNP is a past master at misplaced priorities but, even for this Government, the plan for a national care service is simply staggering. Ministers propose to spend up to £1.3 billion to set up a national care service—

Kevin Stewart: Will Craig Hoy give way?

Craig Hoy: You could have come to Parliament yesterday and made your statement, but you chose not to, so I ask you to take a seat.

The Deputy Presiding Officer: You should speak through the chair, Mr Hoy.

Craig Hoy: I am sorry, Presiding Officer. I invite the minister to take his seat.

Yesterday, the accompanying notes to the National Care Service (Scotland) Bill showed that ministers propose to spend up to £1.3 billion in order to set up a national care service, and that it will involve 700 new civil servants and hundreds of managers at a time when the front line is in crisis, and hard-working care staff and carers are burned out. Today, I pay tribute to their heroic efforts.

The proposed legislation is a power grab, but it also goes beyond control to the issue of the competence of the Government and the cabinet secretary. How can someone who has failed our national health service so badly say that a national care service would be safe in his hands? Members should make no mistake—this is Police Scotland mark 2, and Humza Yousaf is at the wheel.

In the past 24 hours, the Government has also revealed its contempt for the Parliament. Given the scale and scope of the proposed legislation, we might have expected a statement in Parliament yesterday but, as always, the SNP was running scared of scrutiny, so it announced the plans to the press corps rather than in this chamber.

The national care service is simply the wrong plan at the wrong time, and that is why the SNP must ditch that proposal and put every penny into front-line social care.

The Deputy Presiding Officer: The cabinet secretary will wind up the debate for the Government.

17:58

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I thank Jackie Baillie for bringing the debate to the chamber. It has been helpful to air some very important issues. I reiterate what my colleague Kevin Stewart said in his opening contribution: of course we want to scrap and end non-residential care charges and we intend to do so in this parliamentary session. As he outlined, we will introduce legislation next year to that effect. However, we will not raid every IJB's reserves. Some IJBs do not have reserves, and we will not raid the funds of the IJBs that have them, because that would be a one-off funding source for a recurring spending issue.

More importantly, it is vital to put some of the facts on the table. The latest set of accounts that have been published for 31 March 2021 show that the integration joint boards' reserves totalled £558 million. Jackie Baillie is right that, on the face of it, that sounds like a staggering sum. However, if we were to dig into that figure, we would find that £464 million of it is already earmarked for specific purposes, particularly the on-going response to Covid. I say to Jackie Baillie that we are having this debate in a week in which Covid cases and infection levels are rising.

Humza Yousaf: Shortly. Transmission levels are also rising. To then raid the budgets of IJBs when they are facing challenges in relation to Covid infection would be foolish. I suspect that, if I did so, and left IJBs with no money to deal with Covid, Jackie Baillie would be the first person to drag me over the hot coals.

Jackie Baillie: The cabinet secretary knows me well—I would indeed do that. However, he is misrepresenting the situation, because there are sufficient unearmarked reserves that are not for Covid but for other things and that would cover the £51 million that is required to end non-residential care charges. If the Government is to be believed—I do believe it—it intends to end those charges. We are suggesting that it should do so now, and there is the ability to do it now. If the cabinet secretary is as good as his word, it seems that he is intending to do it at some point later, but he could start now—the money is there.

The Deputy Presiding Officer: Cabinet secretary, I can give you the time back for that intervention.

Humza Yousaf: I wish that Jackie Baillie had listened to what I said. Five IJBs have no general reserve funds whatsoever, and 23 of them have less than 2 per cent of their available funding in their general reserves. Jackie Baillie and Scottish Labour have therefore misrepresented the position in relation to IJB reserves.

Kevin Stewart mentioned—as has almost every single member who has spoken, other than Ms Baillie's back-bench colleagues—the contradiction that is at the heart of Scottish Labour's position. Twenty-four hours ago, Ms Baillie was demanding that the Scottish Government should not interfere in local spending and decision making. Twenty-four hours later, she is demanding that it should interfere and intervene in them. I am afraid that that illustrates the contradiction and hypocrisy that we are only too used to from Scottish Labour.

There will be a debate on the national care service and a parliamentary process that we will go through, as we would with any other bill and as would be expected by the committee on which Sandesh Gulhane and other members sit. It does not surprise me that Dr Gulhane and the Tories do not want a national care system because, in the bill that we published yesterday, a national care service would have at its heart collective bargaining, ethical commissioning, fair work for social care workers, and the human rights of care home residents' relatives.

The national care service would therefore stand for and embed everything that the Tories oppose. I will take no lectures—none whatsoever—from the Tories about social care. They are the party that dragged Scotland out of the European Union against its will, causing untold damage to social care up and down the country.

To conclude, the Scottish Government is not waiting for the NCS before making changes. We have recruited more than 1,000 healthcare support workers, many of whom are based in the community and are assisting with social care. In my time as health secretary, we have introduced two pay rises for adult social care workers in the past year. We will not wait for the national care service to be established before we make improvements to our social care system. However, we will do so in a way that is thought out and based on the facts and figures and the evidence. We will continue to invest in social care and, of course, the people who provide it, who are so vital to such services right across the country.

The Deputy Presiding Officer: I call Paul O'Kane to wind up the debate, for around five minutes.

18:03

Paul O'Kane (West Scotland) (Lab): In closing the debate on behalf of Scottish Labour, I reflect that the Parliament has again used Labour time to debate the ending of all non-residential care charges in Scotland. We have heard from colleagues across the chamber about what that would mean for the many people who rely on such support, but also for the unpaid carers who are at

breaking point, both in terms of their physical and mental health and financially.

It is disappointing that the Government has not given clarity on timescales or meaningful plans about how it will remove those charges. It can do that now. The minister said that it will take legislation, but I would challenge that. Will he give a cast-iron guarantee that non-residential care charges will be ended before the National Care Service (Scotland) Bill is debated at stage 3?

I will be happy to give way to either the minister or the cabinet secretary if they can confirm what will come first. People who are in receipt of adult social care cannot wait for the Government to get its act together—nor should they have to. We are in the midst of the worst cost of living crisis in living memory, and many households are already panicking about the looming winter. We need to act now.

Unpaid carers have told me about the impacts of the cost of living crisis that are being felt already—for example, through energy bills for vital equipment skyrocketing. As Jackie Baillie mentioned, we have heard about one instance of a bill increasing to £4,000 per year. We must act with haste to make life a bit easier for those carers.

Of course, each time that we call on the Government to deliver on its own pledge, it makes excuses. It is someone else's fault—as is outlined in its amendment. The last time that the minister and I had an exchange in a debate about social care, it was COSLA and IJBs that were the issue.

Jackie Dunbar: Does the member agree with Jackie Baillie that the minister should just tell the IJBs how to spend their budgets and reserves?

Paul O'Kane: I am coming to that point. My colleague Jackie Baillie made the point that there is already ministerial direction on ring-fenced spending and that ministers are the final arbiter on decisions that are made by IJBs. IJBs are not just councils; they are also health boards and they have health board members.

Colleagues on the Labour benches have set out, time and again, how charges could be ended immediately. Indeed, we provided a costed budget in December, which allowed us to implement the recommendations in the Feeley review using consequentials. Today, because of ministers' inaction and their unwillingness to use consequentials, we have set out how that can be done with the vast level of reserves that sit in health and social care partnerships.

For people who pay those care charges, the policy will be transformative, as it will lift a heavy burden from their shoulders. However, it seems that the SNP and the Scottish Greens are not

willing to support such a measure, which would make a real and tangible difference to life for so many people. It is a case of them, once again, sticking their heads in the sand, despite the promise that the SNP made in its manifesto for the council elections last year that it would end the costs of non-residential care.

Even before that, the previous Cabinet Secretary for Health and Social Care promised, at the start of 2021, to work as quickly as was practicable to end all charges.

Humza Yousaf: Paul O’Kane has accused the Government of sticking its head in the sand. Can he tell us why a number of Labour administrations are not doing what West Dunbartonshire Council is doing? Are they, too, sticking their heads in the sand?

Paul O’Kane: The Government has the money. It needs the political will and the bravery to do that.

Humza Yousaf: You said that they have the money.

The Deputy Presiding Officer: Cabinet secretary!

Paul O’Kane: The cabinet secretary will see Labour councils making a real difference on the ground in relation to the cost of living and non-residential care charges. We will not take any lectures from a cabinet secretary who is unwilling to act.

The cabinet secretary has spoken about the national care service, which is another opportunity to kick things into the long grass. I say to members who have talked about Scottish Labour’s position on the national care service that we have been consistently clear about what our tests for a national care service are. Now that the bill has been published, there are serious concerns not only among Scottish Labour, but among trade unions and councils. Indeed, Keir Greenaway of the GMB said that there is much detail on

“new executive boards of bureaucrats... but”

there is

“no mention of how care workers can improve their pay. It’s unclear how, if at all, care staff will benefit from these fag packet plans.”

That is the trade unions’ view: “fag packet plans” is how they describe the bill.

It is not just the SNP and the Greens who, with their amendment, are letting down Scots. Conservative members have failed to respond, or mention in their amendment, the cost of living crisis, which has been caused, in part, by the Conservative UK Government—a Government that is totally failing the economy and failing to tackle inflation, which is what has spurred this crisis on. It comes as no surprise to see the

Scottish Conservatives pivot away from the real matter that is at hand, which is the need to take action straight away to end all non-residential social care charges. Instead, its amendment does nothing to address the pressures that people who are in receipt of social care are facing now.

Scottish Labour is putting ideas in place that will benefit people across Scotland, and we are putting those ideas into practice. We have heard that in the examples that were relayed about West Dunbartonshire. We are tackling the cost of living crisis head-on with a £5 million package, which is making a real difference, particularly in relation to non-residential care charges. I have yet to see the same ambition to tackle the cost of living crisis from members on the benches opposite me. Let us remind ourselves that the Scottish Government’s own report on adult social care recommended that all non-residential social care charges come to an end. When the First Minister announced the review, she said that

“it is time to be bold.”

I say to the Government: what you have before you from Scottish Labour is bold, and we will continue to be bold until the timid Government does the right thing.

The Deputy Presiding Officer: That concludes the debate on delivering the immediate removal of non-residential social care charges. There will be brief pause before we move on to the next item of business.

Social Security (Additional Payments) Bill

The Presiding Officer (Alison Johnstone):

The next item of business is a debate on motion S6M-05155, in the name of Ben Macpherson, on the Social Security (Additional Payments) Bill, which is United Kingdom legislation. I invite members who wish to speak in the debate to press their-request-to-speak button.

18:10

The Minister for Social Security and Local Government (Ben Macpherson): The UK cost of living crisis is of deep concern to people across Scotland and to all of us who serve them. That is why, as well as taking a wide set of actions totalling around £3 billion, the Scottish Government has continually urged the UK Government in good faith to use the powers at its disposal to address the unprecedented increases in the cost of living.

On 26 May, in the House of Commons, the Chancellor of the Exchequer announced a range of interventions to support people who are struggling financially, which we welcome. Those include a number of social security interventions, including an additional £650 in cost of living payments for those who are on means-tested benefits and a disability cost of living payment worth £150, to be paid from September to people who are in receipt of devolved non-means-tested disability benefits. People who receive the child disability payment and the adult disability payment that are delivered by Social Security Scotland will be among those who are entitled to the sum.

The UK Government has said that approximately 8 million people across the United Kingdom will receive extra payments. To enable that, the UK Government has introduced the Social Security (Additional Payments) Bill in the UK Parliament, but the UK Government has not requested the Scottish Parliament's consent to the bill. Its view is that the provisions in the bill are temporary additional payments that are intended to respond to the rising cost of living and, as such, are reserved matters. However, it is my view that payments in the form of assistance that is provided to individuals who have a short-term need for financial support to avoid a risk to their wellbeing can be legislated for within the legislative competence of the Scottish Parliament.

Therefore, it is the Scottish Government's view that the bill relates to devolved matters. That is why it is necessary to lodge a legislative consent motion, although the UK Government has not requested one. In doing so, we will ensure that the devolution settlement is properly respected and,

importantly, that a precedent for overriding the devolution settlement is not established. The only alternative to a legislative consent motion would be to pass legislation in the Scottish Parliament to an extremely truncated timescale. The legislation would need to come into force by 30 June in order to match the UK Government's timetable and to ensure that payments can be made when intended.

Attempting to pass legislation in such an expedited fashion carries risk—in our view, too great a risk. It is important that people in Scotland receive the financial support that the UK Government announced on 26 May as soon as possible, and it is my view that introducing legislation in the Scottish Parliament is not necessary or proportionate in the circumstances, when a legislative consent motion is a suitable legislative vehicle to quickly implement the payments UK wide.

Providing legislative consent to the UK Social Security (Additional Payments) Bill is the advisable course of action, and I hope that the Parliament will support the motion in my name.

I move,

That the Parliament agrees that the provisions of the Social Security (Additional Payments) Bill, introduced in the House of Commons on 15 June 2022, so far as they relate to matters that fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

18:14

Jeremy Balfour (Lothian) (Con): We have many debates in the chamber that are constructive and helpful, but I see no reason why we are debating this motion tonight. In a few minutes, we will all vote on the motion, and we will be grateful for the money that will be received from the Westminster Government. The only reason why we are debating the matter is, I am afraid, Scottish National Party grievance with Westminster for doing something for disabled people compared with the Scottish Government.

When the matter came to committee, no SNP member spoke against it. They all welcomed it and were happy to accept it. We are seeing the SNP Government bringing forward more grievance against Westminster. What it should be doing today is thanking the Westminster Government and thanking the Department for Work and Pensions for bailing it out yet again.

Let us see what the UK Government is doing. It is introducing a £650 cost of living payment for every household on means-tested benefits. It is introducing a £300 pensioner cost of living payment for every pensioner household in receipt of winter fuel payment. It is introducing a £150

disability cost of living payment for those in receipt of disability benefits—I should say that I will benefit from that. That equates to £1,100 for those on the lowest incomes—around one third of all households.

What has the Scottish Government done? Absolutely nothing. Rather than giving us grieving, moaning policies, the Scottish Government should take responsibility for the benefits that they are running. Instead, they are handing them back to the DWP and saying, “We’re not ready to deal with it. Can you please bail us out and look after us again?”

What we should be absolutely worried about is that the Institute for Fiscal Studies is predicting a £3.5 billion gap in the SNP finances by 2026-27. Should that not be what the Scottish Government is concentrating on? Should the Scottish Government not be trying to bridge that gap, rather than slagging off the Westminster Government?

The Westminster Government has reached out to those who are most vulnerable in our society. Will the Scottish Government accept that? Of course it will, but only with the grievance that comes with it.

18:16

Pam Duncan-Glancy (Glasgow) (Lab): Across the country, households are facing a cost of living crisis. Bills are rocketing, the cost of petrol is rising, with no sign of stopping, and food prices are sky high. Money is going nowhere near as far as it used to. Additional help is welcome, of course, and we support that additional help, and the bill that brings it, but it should not have taken as long as it has done for the Tories to be dragged kicking and screaming into action, and grateful is not exactly the emotion that many people will feel—I would imagine it is more a sense of relief and frustration.

I welcome the move to push the legislation through the UK parliamentary process as fast as possible, so that there is money in people’s pockets by 14 July. However, let us be honest. Had UK ministers listened to the Labour Party, acted sooner and uprated benefits by a measure closer to inflation, they could have avoided forcing people into months of uncertainty and struggle. The cost of living crisis is already stinging. Had this action been taken quicker, people would not have been left to suffer, to accumulate debt, to sacrifice other costs or, in some cases, to choose between heating and eating.

We on the Labour benches know that we cannot rely on the Tory Government to support disabled people or people in poverty. In fact, when we break it down, all that it is actually doing by giving

disabled people an additional £150 is replacing money that it took from them in other ways, such as failing to uplift legacy benefits or making those on personal independence payment, disability living allowance and attendance allowance ineligible for the warm home discount. However, it has at least recognised that there are additional costs associated with being a disabled person, and the policy has been built to reflect that. The same cannot be said of the Scottish Government.

In 2018, Scope found that Scottish disabled people spent on average £632 on disability-related expenses, including usage of heating. One in five disabled adults faces additional costs of over £1,000 a month, and those are the highest excess costs in the UK. Disabled people also have fewer savings than non-disabled people.

Once all those costs are taken into account, half a million disabled people and their families in Scotland are living in poverty. That is 48 per cent of all the people in Scotland who live in poverty, despite disabled people representing only 22 per cent of the population.

Although I of course welcome any money coming from the UK Government, and the long-overdue recognition of that need for targeted support, particularly in a cost of living crisis, let me be clear that, because of the crisis and the previous actions of the Tory Government, what is being provided is not coming close to meeting need.

The same goes for additional money given to pensioners. Again, it is absolutely right to recognise that older people need more support, but all that the Tories are doing with the new £300 cost of living payment for pensioners is putting money back in the pockets that they themselves emptied by allowing the £500 real-terms cut to state pensions. With the rising costs, even this additional payment will still leave pensioners hundreds of pounds worse off.

Those on pension credit can, of course, claim the £650 cost of living payment, but its impact is stifled significantly by low levels of uptake. To make sure that the money gets to those that it is intended to, both Governments must promote and ensure greater uptake.

Except for the Tories, I think that we probably all agree that the chancellor’s measures have been lacking every step of the way. However, so, too, have those of the Scottish Government. When consequential came to Scotland following the UK Government council rebate policy, we urged the Scottish Government not to copy the Tories. We presented a fully costed plan that recognised the additional costs for priority groups and the need for targeted measures. We would have put £400 in the pockets of those struggling to make ends

meet: disabled people, carers, pensioners and families on low incomes. The SNP refused to do that.

When regulations came to committee, the SNP refused to extend the winter heating allowance to all disabled people, despite accepting that they had higher fuel costs. Even the Tories have now recognised the need for targeted support.

For so many groups of people living in poverty, including disabled people, the Scottish Government has also failed to do enough. For some, it has done nothing at all—there has been no specific cost of living support for disabled people, unpaid carers or pensioners.

As I bring my remarks to close, I highlight unpaid carers. Throughout the pandemic, we clapped for carers, both paid and unpaid. We identified them as key workers and relied on them to pick up the pieces when the state could not. Have both Governments forgotten their contribution? Have their memories faded of how much effort unpaid carers put into keeping this country going, or are they just overlooking their plight?

Unpaid carers are likely to have higher energy bills because of their caring responsibilities, but neither Government has included them in its package of support. It is time that the SNP, Greens and Tories stepped up to the plate. People across Scotland are struggling. The measures that the UK Government has put forward will lighten the burden slightly, but they will not ease it for enough people. The UK Government must go further; so, too, must the SNP Government. It has powers, but it has not used them enough. I say to the minister that he should, by all means, demand more from the Tories—we will, too—but he also needs to take his own advice, recognise his own responsibility and realise that he must also step up for the people of Scotland.

The Presiding Officer: I call the minister to wind up the debate.

18:21

Ben Macpherson: I appreciate that the debate was scheduled at short notice, and I am very grateful to members from all parties for their time and contributions this evening, although I think that Mr Balfour's contribution was unnecessarily tribal and critical.

The UK Government's Social Security (Additional Payments) Bill aims to alleviate the pressures that people are experiencing due to the cost of living crisis. Although there clearly is a need for a much more comprehensive package of support using the headroom that the chancellor has and the fiscal and monetary powers at his

disposal, it is important that we here do not cause any delay to the payments getting to those who need them. We want people to get the payments, which is why we are undertaking this legislative consent motion today.

The Scottish Government is committed to supporting the delivery of the measures following the chancellor's statement. I believe that passing the LCM is the most efficient and effective way to do so. It is required because the measures relate to devolved matters.

Given the extremely limited time between the announcement of the measures in the UK bill and its introduction, and the truncated timetable in which the UK Government is legislating, it would simply not be feasible to introduce Scottish legislation, as I said in my opening remarks. That would risk delaying the delivery of the provisions. We want that delivery to happen. We are doing the right thing. Unnecessary criticism from the Tories is unhelpful in this scenario in which we are trying to collaborate to provide assistance to the people Scotland.

I always appreciate that colleagues will push us as a Government to do as much as we can. That is why we are delivering around £3 billion of support for people in this cost of living crisis. For example, our child winter heating assistance and our Scottish child payment are only available in Scotland. We have a wide range of other measures, but there is not the time to go through them today.

We need the UK Government to do more, but we want to facilitate what has been announced. I close by reiterating the Scottish Government's call for more action from the UK Government to address the unprecedented rise in the cost of living above and beyond what is set out in its bill. Nevertheless, we wish to ensure that we facilitate the delivery of the support that has been announced. It is important that that is done without delay, and I urge Parliament to pass the motion.

Business Motions

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-05144, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 28 June 2022

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Ministerial Statement: Independence Referendum

followed by Stage 3 Proceedings: Coronavirus (Recovery and Reform) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

7.30 pm Decision Time

followed by Members' Business

Wednesday 29 June 2022

2.00 pm Parliamentary Bureau Motions

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

followed by Ministerial Statement: Tackling Child Poverty Delivery Plan – Fourth Year Progress Report (2021-22)

followed by Scottish Government Debate: Northern Ireland Protocol Bill

followed by Stage 3 Debate: Fireworks and Pyrotechnic Articles (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

6.15 pm Decision Time

followed by Members' Business

Thursday 30 June 2022

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.45 pm Decision Time

followed by Members' Business

Tuesday 6 September 2022

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 7 September 2022

2.00 pm Parliamentary Bureau Motions

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

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 8 September 2022

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Constitution, External Affairs and Culture

followed by Scottish Government Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 27 June 2022, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[George Adam.]

The Presiding Officer: I call Stephen Kerr to speak to and move amendment S6M-05144.1.

18:25

Stephen Kerr (Central Scotland) (Con): What I say, I say with the utmost respect for you, Presiding Officer, and for the office of Presiding Officer.

At last week's Parliamentary Bureau meeting, the Minister for Parliamentary Business said, in essence, that the Scottish National Party Government will do as it pleases in relation to Parliament. It does and it will for as long as the Greens vote through its every decision.

It is important that people who are watching Parliament's proceedings know that its business is not decided by the bureau but, instead, is dictated to the Parliament by Nicola Sturgeon and her Cabinet. That can be seen in the frequent last-minute changes to the business programme after Cabinet meetings—such as today's utterly pointless statement from Angus Robertson—which trump the bureau's previously agreed plans. Even the bureau's business programme papers come with a stamp at the bottom of each page that reads, "Agreed at Cabinet".

Sadly—I mean "sadly"—I have concluded that Parliament is set up in such a way as to protect the Executive and not scrutinise it. The Cabinet's business motion adds an hour-long statement on an unwanted independence referendum on Tuesday, which pushes back consideration of the highly contentious Covid power grab bill until even later in the day. Then, on Wednesday, there is to be a 90-minute debate on reserved matters. That time could have been used to improve services for the people of Scotland using the many powers that are available to us in Parliament.

My amendment seeks to remove the grievance-mongering and would insert statements on important matters. Moreover, after weeks of avoidable late finishes, it would bring some consistency to decision time for MSPs with younger families. What happened to the lessons that were learned from MSPs standing down in 2021, citing the incompatibility of balancing Parliament with a family life? I refer to Gail Ross, Ruth Davidson and Jenny Marra, to name but a few. *[Interruption.]*

The Presiding Officer: Members.

Stephen Kerr: Those lessons have been forgotten in favour of a business programme that is double stacked with rushed legislation and the First Minister's grievance bingo card.

With Scotland's public services in dire need of rescue, we do not support the Cabinet's additions to next week's business programme. Indeed, we cannot support a business programme that is forced on the Parliament by an uncompromising Nicola Sturgeon.

That is why I move amendment S6M-05144.1, to leave out from "followed by Ministerial Statement: Independence Referendum" to "followed by Scottish Government Debate: Northern Ireland Protocol Bill" and insert:

"followed by Stage 3 Proceedings: Coronavirus (Recovery and Reform) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

6.30 pm Decision Time

followed by Members' Business

Wednesday 29 June 2022

2.00 pm Parliamentary Bureau Motions

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

followed by Ministerial Statement: Tackling Child Poverty Delivery Plan – Fourth Year Progress Report (2021-22)

followed by Ministerial Statement: Project Neptune

followed by Ministerial Statement: Moray Maternity Services Update

followed by Ministerial Statement: National Care Service (Scotland) Bill Introduction".

The Presiding Officer: I call George Adam to respond on behalf of the Parliamentary Bureau.

18:28

The Minister for Parliamentary Business (George Adam): We discussed all that at length at the Parliamentary Bureau and, as always, I tried to be accommodating to Opposition members. I will, as always, keep this short and to the point. The Scottish Government will continue to focus its efforts on passing important legislation and representing the people of Scotland.

The Presiding Officer: The question is, that amendment S6M-05144.1, in the name of Stephen Kerr, which seeks to amend motion S6M-05144, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme, be agreed. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

There will be a short suspension to allow members to access the digital voting system.

18:29

Meeting suspended.

18:36

On resuming—

The Presiding Officer: The question is, that amendment S6M-05144.1, in the name of Stephen Kerr, which seeks to amend motion S6M-05144, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme, be agreed to. Members should cast their votes now.

The vote is closed.

Marie McNair (Clydebank and Milngavie) (SNP): On a point of order, Presiding Officer. My app froze. I would have voted no.

The Presiding Officer: Thank you, Ms McNair. We will ensure that that is recorded.

The Cabinet Secretary for Justice and Veterans (Keith Brown): On a point of order, Presiding Officer. My app is now saying that there was a problem, so I do not know whether I lodged my vote or not. I would have voted no.

The Presiding Officer: Okay. I can confirm that your vote was recorded, Mr Brown.

Sarah Boyack (Lothian) (Lab): On a point of order, Presiding Officer. I attempted to cast my vote, but my screen says "You have not voted". I would have abstained if it had been recorded. That is the button that I pressed, anyway.

The Presiding Officer: Thank you, Ms Boyack. We will ensure that that is recorded.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowe, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)

Villalba, Mercedes (North East Scotland) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division is: For 28, Against 63, Abstentions 20.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-05144, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is now closed.

Kenneth Gibson (Cunninghame North) (SNP): On a point of order, Presiding Officer. I could not connect to the digital platform.

The Presiding Officer: Thank you, Mr Gibson. We will ensure that your vote is recorded.

For

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

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

Against

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

Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Abstentions

Sarwar, Anas (Glasgow) (Lab)

The Presiding Officer: The result of the division is: For 64, Against 48, Abstentions 1.

Motion agreed to,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 28 June 2022

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Ministerial Statement: Independence Referendum
followed by Stage 3 Proceedings: Coronavirus (Recovery and Reform) (Scotland) Bill
followed by Committee Announcements
followed by Business Motions
followed by Parliamentary Bureau Motions
7.30 pm Decision Time
followed by Members' Business

Wednesday 29 June 2022

2.00 pm Parliamentary Bureau Motions
2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Net Zero, Energy and Transport; Rural Affairs and Islands
followed by Ministerial Statement: Tackling Child Poverty Delivery Plan – Fourth Year Progress Report (2021-22)
followed by Scottish Government Debate: Northern Ireland Protocol Bill
followed by Stage 3 Debate: Fireworks and Pyrotechnic Articles (Scotland) Bill
followed by Business Motions
followed by Parliamentary Bureau Motions
followed by Approval of SSIs (if required)
6.15 pm Decision Time
followed by Members' Business

Thursday 30 June 2022

11.40 am Parliamentary Bureau Motions
11.40 am General Questions
12.00 pm First Minister's Questions
12.45 pm Decision Time
followed by Members' Business

Tuesday 6 September 2022

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Business
followed by Committee Announcements
followed by Business Motions
followed by Parliamentary Bureau Motions
5.00 pm Decision Time
followed by Members' Business

Wednesday 7 September 2022

2.00 pm Parliamentary Bureau Motions
2.00 pm Portfolio Questions: Health and Social Care; Social Justice, Housing and Local Government
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
followed by Approval of SSIs (if required)
5.00 pm Decision Time
followed by Members' Business

Thursday 8 September 2022

11.40 am Parliamentary Bureau Motions
11.40 am General Questions
12.00 pm First Minister's Questions
followed by Members' Business
2.30 pm Parliamentary Bureau Motions
2.30 pm Portfolio Questions: Constitution, External Affairs and Culture
followed by Scottish Government Business
followed by Parliamentary Bureau Motions
5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 27 June 2022, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.

The Presiding Officer: The next item of business is consideration of business motion S6M-005145, in the name of George Adam, on behalf of the Parliamentary Bureau, on a stage 1 timetable. Any member who wishes to speak against the motion should press their request-to-speak button now.

Motion moved,

That the Parliament agrees that consideration of the Gender Recognition Reform (Scotland) Bill at stage 1 be completed by 28 October 2022.-[George Adam]

Motion agreed to.

Parliamentary Bureau Motions

18:43

The Presiding Officer (Alison Johnstone): The next item of business is consideration of three Parliamentary Bureau motions. I ask George Adam, on behalf of the Parliamentary Bureau, to move motions S6M-05146 and S6M-05417, on approval of Scottish statutory instruments, and motion S6M-05148, on substitution on committees.

Motions moved,

That the Parliament agrees that the Plant Health (Fees) (Miscellaneous Amendment) (Scotland) Regulations 2022 [draft] be approved.

That the Parliament agrees that the Registers of Scotland (Information and Access, etc.) Miscellaneous Amendment Order 2022 [draft] be approved.

That the Parliament agrees that Stephen Kerr be appointed to replace Sue Webber as the Scottish Conservative and Unionist Party substitute on the Standards, Procedures and Public Appointments Committee.—[George Adam]

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

Decision Time

18:43

The Presiding Officer (Alison Johnstone): There are eight questions to be put as a result of today's business.

The first question is, that amendment S6M-05106.2, in the name of Tom Arthur, which seeks to amend motion S6M-05106, in the name of Mark Griffin, on cost of living support, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is now closed.

Neil Bibby (West Scotland) (Lab): On a point of order, Presiding Officer. I would have voted yes.

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

The Cabinet Secretary for Finance and the Economy (Kate Forbes): On a point of order, Presiding Officer. My vote might have been registered, but I am not entirely sure. I would have voted yes.

The Presiding Officer: I can confirm that your vote was recorded, Ms Forbes.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)

Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on amendment S6M-05106.2, in the name of Tom Arthur, is: For 86, Against 29, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S6M-05106.1, in the name of Miles Briggs, which seeks to amend motion S6M-05106, in the name of Mark Griffin, on cost of living support, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is now closed.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)

Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)

Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-05106.1, in the name of Miles Briggs, is: For 29, Against 87, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-05106, in the name of Mark Griffin, on cost of living support, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)

Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)

Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on motion S6M-05106, in the name of Mark Griffin, on cost of living support, as amended, is: For 87, Against 29, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament notes that, under the UK Government's Energy Bills Support Scheme, second home owners across Scotland will receive a double payment of the £400 credit for their energy bills; considers that this funding would be better used to support low-income households struggling with the cost of living crisis, and agrees that the Scottish Government, in consultation with COSLA, should examine all options to recover this money through a council tax levy on second homes and long-term empty homes in order to support local cost-of-living responses on a fair and equitable basis.

The Presiding Officer: The next question is, that amendment S6M-05111.2, in the name of Kevin Stewart, which seeks to amend motion S6M-05111, in the name of Jackie Baillie, on delivering the immediate removal of non-residential social care charges, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

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

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

Against

Baillie, Jackie (Dumbarton) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)

Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on amendment S6M-05111.2, in the name of Kevin Stewart, is: For 65, Against 51, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S6M-05111.1, in the name of Sandesh Gulhane, which seeks to amend motion S6M-05111, in the name of Jackie Baillie, on delivering the immediate removal of non-residential social care charges, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is now closed.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)

Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)

O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-05111.1, in the name of Sandesh Gulhane, is: For 33, Against 83, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-05111, in the name of Jackie Baillie, on delivering the immediate removal of non-residential social care charges, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

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

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

Against

Baillie, Jackie (Dumbarton) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysof (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)

McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-05111, in the name of Jackie Baillie, on delivering the immediate removal of non-residential social care charges, as amended, is: For 65, Against 51, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament believes that the Scottish Government should end all non-residential social care charges in the current parliamentary session; welcomes the recent introduction of the National Care Service (Scotland) Bill, in line with the Bute House Agreement, and supports the creation of this new service, which will end the postcode lottery in adult social care in Scotland; regrets that the UK Government's welfare cuts, and retention of 85% of spending on social security benefits, including low-income benefits, and employment powers, including the minimum wage remaining with the UK Government, is letting down the most vulnerable in society by failing to properly address the cost of living crisis and its causes; notes that the Scottish Government has increased eight Scottish social security benefits at double the rate that the UK Government uprated benefits within its control; understands that the overall budget available in Scotland is largely determined by the spending decisions of the UK Government, and considers that the Scottish Government is already investing in mitigating the impact of UK Government control, tackling the cost of living, and tackling poverty.

The Presiding Officer: The next question is, that motion S6M-05155, in the name of Ben Macpherson, on the Social Security (Additional Payments) Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament agrees that the provisions of the Social Security (Additional Payments) Bill, introduced in the House of Commons on 15 June 2022, so far as they relate to matters that fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

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

Members: No.

The Presiding Officer: As no member objects, the final question is, that motions S6M-05146 to S6M-05148, in the name of George Adam, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that the Plant Health (Fees) (Miscellaneous Amendment) (Scotland) Regulations 2022 [draft] be approved.

That the Parliament agrees that the Registers of Scotland (Information and Access, etc.) Miscellaneous Amendment Order 2022 [draft] be approved.

That the Parliament agrees that Stephen Kerr be appointed to replace Sue Webber as the Scottish Conservative and Unionist Party substitute on the Standards, Procedures and Public Appointments Committee.

Loch Lomond (Proposed Development)

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-04060, in the name of Ross Greer, on save Loch Lomond. The debate will be concluded without any question being put. I ask members who wish to participate to press their request-to-speak button now or as soon as possible.

Motion debated,

That the Parliament notes the reported application lodged by the Yorkshire-based theme park operator, Flamingo Land, for the development of a so-called "luxury resort" on the banks of Loch Lomond at Balloch; understands that this is Flamingo Land's second application for a development on the site, with the first application reportedly having been withdrawn following a record 60,000 objections being lodged with the Loch Lomond and The Trossachs National Park authority; congratulates local residents and the Save Loch Lomond campaign for, it believes, having protected the ancient woodland at Drumkinnon Woods, which it understands is no longer the proposed location for dozens of guest lodges, but remains concerned about a number of reported issues with the current application, including its overall scale, public access to Drumkinnon Woods and the wider site, pressure on local roads and the principle of selling public land at one of Scotland's most famous locations to a private developer.

18:58

Ross Greer (West Scotland) (Green): I thank members from across the Parliament for supporting my motion and helping to secure the debate.

It is not the first debate on the issue that I have brought to the chamber. Three years ago, a planning application was submitted that attracted more discussion and interest than any other local issue in the west of Scotland in the six years for which I have been an MSP. It is clear to me that the issue is so deeply emotive to people because of the importance of Loch Lomond to the communities that live there, to people across Scotland and to those from further afield who have been fortunate enough to visit our world-famous national park.

It is particularly important to many of my constituents and to others across the central belt who may not live in Balloch themselves but are able to access everything that Loch Lomond has to offer through the gateway that Balloch represents. Just 40 minutes on the train from Glasgow, and you will be in one of the most beautiful landscapes in the world.

Flamingo Land's first application, which was submitted back in 2018-19, was riddled with problems. The company's own environmental

impact assessment made for particularly grim reading, speaking of, among other things,

“damage to ancient woodland, pollution of standing and running water, red squirrel and other fatalities and a host of other environmental concerns.”

Iconic views were to be interrupted by a water park and hotel on the shoreline, and the majority of the site would be handed over from public ownership under the control of Scottish Enterprise to the ownership of a private company based hundreds of miles away, whose profits certainly would not be reinvested in the local economy. There were 60,000 objections lodged, making Flamingo Land’s application the most unpopular planning application in Scottish history. West Dunbartonshire Council formally opposed the plans, as did Ramblers Scotland, the Woodland Trust and a number of local groups.

When national park planning officers recommended refusal of the plans, Flamingo Land saw the writing on the wall and pulled its application. We won—once again, I thank everyone who contributed to that victory, including members who are in the chamber for the debate this evening.

During the campaign, local residents came together at a meeting to consider what Balloch and the wider area needed, and what a positive alternative development would look like. The list of ideas that were suggested by residents included a municipal water sports centre, camping and motor home facilities, a backpacker hostel, a forest school, a heritage centre, a museum and many more. There was significant interest in developments around ecotourism, and things such as affordability, educational benefit and recognising Balloch as an accessible base for exploring both sides of the loch were also identified as priorities. However, the exclusivity agreement between Flamingo Land and Scottish Enterprise made it impossible to progress any of those alternatives.

Despite the comprehensive rejection of that proposed development, Flamingo Land is now back with another application. It sounds eerily familiar, with 127 self-catering lodges, a hotel, a water park, a monorail, a brewery and more.

Our campaign has, however, secured one important concession already. Most of the ancient woodland at Drumkinnon woods has been removed entirely from the development, although it would still form part of the site and would be sold to Flamingo Land, which would put it at risk of future development. Flamingo Land previously told me directly that its plans were not financially viable without development in that ancient woodland, so it is easy to see why the community simply does not trust the company as custodian of that very special location.

In addition, just under half a hectare of ancient woodland is still at direct risk in the current application, which is one of the reasons why the Woodland Trust has joined us once again in objecting to Flamingo Land’s plans. The environmental impact assessment says that that area of ancient woodland, which is about two thirds of the size of the pitch at Hampden, will be removed in the construction phase of the development. Loss of ancient woodland means permanent damage and is totally unacceptable when we are facing such a stark biodiversity and climate crisis, as the Scottish Government acknowledged earlier this week.

The new team overseeing the application have made a number of other small improvements, such as reducing the height of the hotel and water park complex. They have also taken a more professional approach this time. Admittedly, the bar was set pretty low last time, but this time around I have not had any petulant insults from the chief executive about my age and my apparent achievements, and the company has not threatened me with a defamation action for quoting from its own environmental impact assessment. The company’s last attempt truly was the definition of a cowboy operation.

We should not be under any illusions about the apparent improvements, however: the new application is still utterly inappropriate and the grounds for objection still stand. The scale of development is huge. It would have a drastic impact on a well-visited national park location right on the loch shore. Space that is used freely for leisure by locals and visitors alike would become part of a branded development, which would mean that non-paying visitors would feel like second-class citizens, behind those who could afford the premium to rent a lodge.

In response to my raising those access concerns with the First Minister, the developers issued a press release with an access pledge. However, that pledge simply reiterates the company’s basic legal obligations and does not address the unavoidable restrictions that come when open space becomes a private holiday park.

The whole development would be focused on Flamingo Land’s paying customers, to the detriment of those local residents and other visitors who just want to enjoy the accessible lochside location. Why else would the monorail link the restaurant with the upper floor of the water park? There is potential to link the shore with the railway station, restoring a public transport link to the loch for people with lower mobility in particular. In practice, however, the proposed monorail will simply link two parts of an exclusive resort with each other, without wider community benefit.

In addition, most of the site would be handed over from public ownership into the hands of a private theme park operator that is based hundreds of miles away. The local community has stood firm against the idea of land that is owned and looked after on its behalf being passed to a company that exists only to profit from it.

As I mentioned, residents' alternative ideas, which could not be progressed due to the exclusivity agreement, included a community development trust or community interest company model so that any profits that were made by something like a local arts venue, for example, would be kept in the community.

As we face a climate emergency, major new developments, especially in national parks, have a responsibility to play their part in tackling the crisis. That is clearly not the case with this development, which will bring in substantial additional traffic on local roads. The A82, which runs up the west side of the loch, is infamous for congestion during tourist season as it is. That concern was key to West Dunbartonshire Council's objection to the first application, and I urge the council to bear that in mind as it prepares a position on the new proposal, given that the scale of development and the expected traffic levels remain the same.

Balloch and the wider national park need significant improvements in public transport, not a doubling down on car-centric developments. A truly co-ordinated and easily accessible public transport and active travel plan is needed for all of the Loch Lomond and the Trossachs national park. I have been discussing a travel strategy with the Loch Lomond and the Trossachs National Park Authority and others for a while now, and some progress has been made. There is now a national park journey planner app; plans for shuttle buses are being actively worked on; and a sustainable travel and modal shift report is in progress, which would present a clearer picture of the barriers to, and opportunities for, a reduction in car use in the park.

I would welcome interest from the Government in working with the national park authority and local councils to deliver a comprehensive transport master plan for the park. However, it is not good enough for Flamingo Land simply to stand by and expect public bodies to solve the traffic problems that it would be creating. A development such as the one that is proposed is incompatible with the park's own plans to contribute to meeting Scotland's climate targets.

The Vale of Leven hospital watch campaign has also raised concerns with me about the pressure that the development could put on local services at that hospital, where there are long-standing capacity issues that will be familiar to many members. That is a serious concern, and I expect

both the council and the park to take it into account.

An overwhelming majority of my constituents have made it clear that they do not want a scar on the protected woodland, the riverbank and the loch shore. They do not object in principle to redeveloping Woodbank house—as we made clear last time—but they certainly do not want 127 lodges providing holidays that many local residents would struggle to afford, attracting thousands more cars and sending profits to a corporation that is based far from the local area.

People are sick of Flamingo Land's patronising and incorrect message that there is no alternative, and that its plan is the only way to prevent misery and unemployment in the Vale of Leven—that the only choice is that resort, or Balloch will forever be a neglected and derelict wasteland.

We have more ambition for Balloch than the company does. The community has other ideas—dozens of them. Those alternative proposals could provide sustainable and high-quality jobs, educational benefits and far more while preserving the stunning natural beauty that makes Loch Lomond a global destination. In contrast, Flamingo Land's plan is, to be frank, boring, generic and expensive. It does nothing to enhance Balloch's position as a gateway to the national park; it is not what we need to support the local economy; and it is certainly not what we need to tackle the climate emergency. No real consideration has been given to the local community or the local environment.

I encourage members across all parties, as well as members of the public who may be watching, to join me in lodging strong objections to the plans.

I realise that, as the planning application is live, the Minister for Parliamentary Business is severely constrained in what he is able to say, so I will not take offence if his contribution is shorter than a Government response to a members' business debate would normally be.

Nonetheless, the Government knows the strength of feeling, both locally and nationally, about the development. People care deeply about Loch Lomond—they are proud of it and they want to see it enhanced, not cheapened. Our campaign's commitment to save Loch Lomond is unwavering, and I ask everyone who feels the same to join us and help us to win this fight once again.

The Deputy Presiding Officer: Thank you, Mr Greer. You appear to have used some of the minister's allocated time, but I am sure that he will not be too disappointed.

19:08

Rona Mackay (Strathkelvin and Bearsden) (SNP): I am pleased to speak in the debate, and I thank my colleague Ross Greer for raising this very important issue in the chamber.

As Ross Greer has explained, this is the second application that has been lodged by the developer; the first application was reportedly withdrawn following a record 60,000 objections after a robust campaign from the local residents and the save Loch Lomond campaign.

I am proud to say that I love Loch Lomond. I have been going there for as long as I can remember for family days out, celebrations, dog walks and just generally to soak up the peace and beauty of this jewel in Scotland's countryside. Nowadays, as it is just a 30-minute drive from my constituency of Strathkelvin and Bearsden, I try to get there as often as time allows.

The Loch Lomond and the Trossachs national park is home to 21 Munros, 19 Corbetts—none of them climbed by me, I hasten to add—and 21 large lochs. That is pretty phenomenal by anyone's standards.

It is clear that the Flamingo Land developers have made a concession in order to progress their plans, which is to move the proposed lodges in Drumkinnon woods to another part of the development. The lodges will still be there, of course—just not on that site. That seems to prove the fact that the developers had no real thought for the aesthetic beauty of the area in the first place when they submitted their original proposals.

To be clear, I am not anti-development, and I do not want to keep Scotland in aspic. However, I do not believe that the level of this development is appropriate for an area of such natural beauty. The developers may argue that it will attract tourism and money to the area, but I would argue that a more modest proposal would do that, as Ross Greer has outlined very well.

In my experience, tourists flock to the national park whenever the sun shines, and it is doing very nicely without a fairground attraction. After lockdown restrictions ended in 2020 and 2021, there was a 200 per cent surge in traffic heading for Loch Lomond and, on several occasions, cars were turned back from approaching Luss due to the sheer volume.

Loch Lomond will always attract tourists and the generations of families who regularly flock there to experience the wonder of the area. I want people from all over the world to come to Scotland to enjoy our wonderful lochs and tourist attractions with the tasteful facilities that we have all come to expect.

All that is crucial, and that is before we even mention the inevitable environmental damage to the area, the disruption to wildlife, the pressure on local roads and the restriction of public access to Drumkinnon woods, as Ross Greer mentioned. It is also about the principle of selling off precious public land to a private developer for profit. Is that a good thing? I do not think so. Do we want to sacrifice a significant part of our Loch Lomond and the Trossachs national park for big business? I certainly do not.

Loch Lomond is one of Scotland's greatest landmarks, and maintaining its integrity must be of paramount importance. Furthermore, our environmental heritage should not be sullied by big business that is intent on making a profit. Rejecting the submitted proposals will send a clear message to developers: leave our bonnie banks alone and let nature be the attraction.

19:11

Pam Gosal (West Scotland) (Con): As a West Scotland MSP, I am honoured to have places of outstanding natural beauty in my region, including Loch Lomond and the surrounding Loch Lomond and the Trossachs national park.

With there being only two national parks in Scotland, I am proud to have a significant part of one of them in my region. Members will agree that such areas are what makes Scotland a truly special place in which to live, and protecting those areas, and the communities in them, should always be a priority. Therefore, I am clear that such proposals should only go ahead when the concerns of local communities have been addressed.

Many objections have been raised against the proposals since Lomond Banks first submitted plans in 2018. More than 60,000 objections were submitted, and the proposals were unanimously rejected by the elected members of West Dunbartonshire Council in its role as a statutory consultee. However, it is positive to see that Lomond Banks has tried in its new proposals to address some of the concerns that were raised and that it is engaging with the communities that the plans will affect to ensure that the development is able to deliver its potential benefits to the local economy.

Although I acknowledge the £40 million investment from Lomond Banks and its economic benefits, I still have concerns over six particular areas. The first is antisocial behaviour and problems with littering in and around Balloch, which are already serious problems during the summer months, and residents are rightly concerned about that becoming even worse if the development goes ahead.

Secondly, there needs to be more safeguarding of the natural environment surrounding the proposed site. There should be further assurances that there will be no pollution to Loch Lomond.

Thirdly, despite Lomond Banks stating that Drumkinnon woods will be protected from development, the Woodland Trust has warned that ancient woodland might still be damaged by the proposals.

Fourthly, developments such as the one proposed should also come with an economic development plan that truly works in the interests of the local economy. It is possible to create a system that complements existing local businesses instead of simply competing with them, but it remains to be seen whether the new proposals will achieve that balance.

Fifthly, we need to see a well-thought-out workforce plan for the site that works alongside the existing skills pool and takes account of existing shortages of local labour.

Last, but not least, those issues are in addition to the many concerns that have been raised about the already stretched local infrastructure, including the local road network.

When done properly, such developments can be a great benefit to all parties, but that can happen only when the projects are inclusive and include local residents and businesses. I urge Lomond Banks to continue to work constructively with local communities to address the concerns, and I encourage concerned residents or businesses to ensure that their views are known.

I am not against such developments by default; in fact, I try to support them where possible, but each development has to be the right one for local communities and should be considered on a case-by-case basis. I am no stranger to working with developments that have a positive overall outcome, and I hope that Lomond Banks will work around the points that I have raised today in taking forward its plans.

19:15

Jackie Baillie (Dumbarton) (Lab): I congratulate Ross Greer on securing debating time to explore the current planning application by Lomond Banks, which is most commonly known as Flamingo Land, to develop West Riverside at Balloch. Before I come on to the application, I note that the land belongs to Scottish Enterprise, which is a public agency that is answerable to the Scottish ministers. Although I was happy to sign Ross Greer's motion, as a matter of principle I am not opposed to the sale of public land for the right development. Of course, the question is whether this is the right development for the gateway to

Scotland's first national park, which in my view is the most beautiful national park in Scotland.

If the Scottish Government believes that it is not the right development, one wonders why it is agreeing to sell the land that it owns. Now that Ross Greer's colleagues form part of the Government, I am hopeful that we can pursue that point and that a community buyout will be considered. I have no doubt that Lomond Banks will receive grants from Scottish Enterprise, perhaps in the form of the replacement for regional selective assistance. I cannot help but wonder whether that will exceed the capital receipt from the sale of the land so that, in effect, we are paying the company to go there. In the interests of transparency, I would be grateful if the minister will publish the anticipated figures in due course.

I opposed the application the first time round, and it is fair to say that opinion in the community is divided. Will it bring jobs and help local businesses? Does that outweigh environmental concerns? Will our local roads cope? Those are just some of the questions in people's minds. That is why I am engaging in a local community consultation to get people's views, and I am happy to share the results of that on a cross-party basis.

The application is not substantially different from the previous application three years ago. The key difference is the removal of 32 self-catering lodges that were previously planned for Drumkinnon woods. Nevertheless, concerns remain about Drumkinnon woods, which are captured in the briefing from the Woodland Trust and in correspondence that I have had from local residents about the impact of the development on a popular local area of important ancient woodland. That significant concern needs to be addressed.

Jobs have always been a key consideration for me. Apparently, the project will create 80 full-time jobs and 120 part-time jobs, and the company has agreed to pay the real living wage, which is an improvement on its previous position, but I would want much more robust pledges to be developed about local jobs and fair work in the coming weeks. I would also want to see guarantees on the use of local supply chains and partnerships with other local tourism businesses. Although that may not be part of the planning process, it is a critical consideration for the community, and we should not accept anything less from any developer.

For me, there is a question about density. We are talking about two hotels and 127 self-catering lodges and apartments. That is a lot of visitors, not just at the height of the season but, as is common with such projects, all year round. The local roads infrastructure is poor. I have lost count of the number of times that I have been stuck on the A82 in bumper-to-bumper traffic. I am therefore

concerned about any additional volume of traffic. I know that there is a railway station at Balloch, and I like the plans for a monorail but, realistically, if any of us was going for a self-catering holiday, we would take our cars. Therefore, the development will have a negative impact on infrastructure.

I will weigh up the advantages and disadvantages of the application, but I will be influenced by the views of local people. The application falls to the national park authority to be considered, but it would be helpful to clarify what role Lorna Slater will have, as she is the minister responsible for national parks, or whether Tom Arthur, who is responsible for planning, will have a role. I am not interested in commenting on the substance with them, but I think that the process is important, particularly given the interest of the Green Party and its position in Government.

In the meantime, it is right to carefully consider what local people tell us that they want to happen because, after all, it is their home.

The Deputy Presiding Officer: Thank you, Ms Baillie. You took a leaf out of Ross Greer's book.

I invite the minister to respond to the debate. You have around seven minutes, Mr Adam.

19:20

The Minister for Parliamentary Business (George Adam): Good luck with my response being seven minutes long, Presiding Officer.

I am grateful for the opportunity to close this debate on Ross Greer's motion. Ironically, it is the first members' business debate that I will close as a minister, and—as with everything during my career in the chamber—it is fraught with challenges.

I will be unable to take interventions from colleagues, which is mainly due to the fact that, as Mr Greer has mentioned, a live planning application is in progress. I welcome members' continued interest in Loch Lomond and the Trossachs national park and the consideration that has gone into the concerns that have been raised during the debate.

The Scottish Government is committed to our national parks and, as members know, we intend to designate at least one new national park by the end of this parliamentary session.

It is, of course, for members to raise any motion that they consider appropriate for consideration during members' business debates. In this case, the motion is focused on a live planning application, so it raises procedural difficulties for me and Parliament. As required by the Scottish ministerial code, ministers are restricted from commenting publicly on live planning applications

as doing so could potentially prejudice the final decision.

The challenge of such debates was the subject of correspondence, in 2014, between Joe FitzPatrick, my predecessor as Minister for Parliamentary Business, and Stewart Stevenson, in his capacity as the then convener of the Standards, Procedures and Public Appointments Committee. The strict limitations on the Scottish Government on commenting on live applications was noted, but the committee was unable to identify changes to procedures to address the issue without restricting the topics that members can raise at members' business debates.

Applications for planning permission are dealt with, in the first instance, by the relevant planning authority. In this case, that is the Loch Lomond and the Trossachs National Park authority. Planning decisions within the national park are required to have regard to the national park plan and in accordance with the Loch Lomond and the Trossachs National Park's local development plan unless material consideration indicates otherwise. Recognising and respecting the important role of the planning authorities in making decisions on future developments in their area means that it is rare for ministers to intervene in a live planning application, and they will do so only where matters of national interest are at stake.

Members will be aware that the Scottish Government is currently working towards a finalised national planning framework—NPF4—which is to be laid before Parliament for approval before adoption by the Scottish ministers. The draft NPF4 explains how we will work together to build sustainable, liveable, productive and distinctive places. Addressing climate change and nature recovery are key priorities and, once finalised, NPF4 will help to provide a clear policy framework for decision makers.

Members will appreciate that I cannot comment on the merits of this live application. Once again, I thank everyone for giving me the opportunity to take part in today's debate.

Meeting closed at 19:24.

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