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Thursday 10 October 2024

CONTENTS

Col.

GENERAL QUESTION TIME 1
Free Bus Passes (Removal) 1
Milngavie Rail Line (Service Frequency) 2
Inclusive Communication (Update) 4
Forties Pipeline System (Grangemouth Refinery Closure Impacts) 4
Glasgow Safer Drug Consumption Facility (Preparations) 6
Union Bridge Repairs (Discussions) 7
Landfill (Biodegradable Municipal Waste Ban) 8
FIRST MINISTER'S QUESTION TIME 10
Prisoners (Early Release) 10
National Health Service 12
Cabinet (Meetings) 16
Fair Work (Tips and Gratuities) 17
Breast Reduction Surgery (Waiting Times) 19
Borders Railway Extension 20
Productivity and Capital Expenditure 22
Potential Strike Action (Perth and Kinross Council) 23
Arran Ferry Services 24
Drumchapel Health Centre 25
Sheku Bayoh Inquiry 25
Scottish Fire and Rescue Service 25
Acorn Project (Investment) 26
CHALLENGE POVERTY WEEK 2024 28
Motion debated—[Paul O'Kane].
Paul O'Kane (West Scotland) (Lab) 28
Collette Stevenson (East Kilbride) (SNP) 31
Jeremy Balfour (Lothian) (Con) 33
Pam Duncan-Glancy (Glasgow) (Lab) 34
Maggie Chapman (North East Scotland) (Green) 36
Meghan Gallacher (Central Scotland) (Con) 38
Marie McNair (Clydebank and Milngavie) (SNP) 39
The Minister for Equalities (Kaukab Stewart) 41
PORTFOLIO QUESTION TIME 44
EDUCATION AND SKILLS 44
Subject Choice 44
Universities (Support) 46
Secondary Education (Balancing Rights) 47
Colleges (Priorities) 48
Anti-racism in Education Programme 51
Schools (Gender Identity Guidance) 52
Gaelic Education (Glasgow Anniesland) 54
PRISON POPULATION 56
Statement—[Angela Constance].
The Cabinet Secretary for Justice and Home Affairs (Angela Constance) 56
PROSECUTION GUIDANCE ON PUBLIC SAFETY AND PRISON POPULATION 67
Statement—[The Lord Advocate]
The Lord Advocate (Dorothy Bain KC) 67
CLIMATE CHANGE (EMISSIONS REDUCTION TARGETS) (SCOTLAND) BILL: STAGE 1 79
Motion moved—[Gillian Martin].
The Acting Cabinet Secretary for Net Zero and Energy (Gillian Martin) 79
Edward Mountain (Highlands and Islands) (Con) 82
Douglas Lumsden (North East Scotland) (Con) 85
Sarah Boyack (Lothian) (Lab) 89
Mark Ruskell (Mid Scotland and Fife) (Green) 92

Liam McArthur (Orkney Islands) (LD) 94
Jackie Dunbar (Aberdeen Donside) (SNP) 97
Maurice Golden (North East Scotland) (Con) 99
Bob Doris (Glasgow Maryhill and Springburn) (SNP) 101
Katy Clark (West Scotland) (Lab) 104
Michael Matheson (Falkirk West) (SNP) 107
Ben Macpherson (Edinburgh Northern and Leith) (SNP) 109
Patrick Harvie (Glasgow) (Green) 111
Monica Lennon (Central Scotland) (Lab) 113
Graham Simpson (Central Scotland) (Con) 116
Gillian Martin 118
DECISION TIME 122

Scottish Parliament

Thursday 10 October 2024

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. The first item of business is general question time.

Free Bus Passes (Removal)

1. **Graham Simpson (Central Scotland) (Con):** To ask the Scottish Government what consideration it has given to removing free bus passes from people who abuse the system. (S6O-03837)

The Cabinet Secretary for Transport (Fiona Hyslop): The vast majority of passengers who travel under the national concessionary travel scheme behave appropriately. However, a minority of people of all ages abuse their entitlement, which includes committing offences. That can result in serious harm to bus employees and passengers, which is simply not acceptable.

Bus operators can already restrict their services in line with their conditions of carriage, and Transport Scotland has prioritised work with operators and other stakeholders to develop further sanctions, including the removal of passes and taking preventative measures.

Graham Simpson: I thank the cabinet secretary for the work that we have done jointly on the issue. I enjoyed working with her while I was transport spokesman.

We have spoken about the issue before. I think that the cabinet secretary has the powers to do something, so will she confirm that? Will she agree to meet unions whose members are affected by such antisocial behaviour? Will she put a timescale on taking action?

Fiona Hyslop: I thank Graham Simpson for his constructive, considered and intelligent approach as Opposition transport spokesperson. I think that he has a passion for the issue, so I am sure that he will continue to take an interest in transport. On the substance of his points, I will meet the unions this afternoon, so I will continue my dialogue with them.

I point out that the legislation that underpins the national concessionary travel scheme does not make specific provision for removing access to the scheme when it is misused—for example, if someone fraudulently allows another person to use their card. We are working on that, which might require changes to the main scheme.

It is a challenge to give members timescales at this point, but I know that Graham Simpson has been persistent on the issue, and I will continue to consider it.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I initially shared Graham Simpson's concerns, but I have to say that, in recent months, matters have settled down on the buses with the under-22 concessionary scheme. I would be pleased if the cabinet secretary could keep the Parliament informed of any changes to that scheme, such as changes to bring in penalties or provisions to remove cards, if necessary.

Fiona Hyslop: I will keep members informed of any progress. In Scotland, we aim to promote an agenda whereby children are prevented from getting involved in offending behaviour and are supported effectively when they do so.

A range of measures to prevent and tackle antisocial behaviour on buses is available. Experience with ScotRail shows that body-worn cameras play an important role in deterring antisocial and criminal behaviour, and we are actively considering how that learning can apply to the bus network.

Willie Rennie (North East Fife) (LD): I have witnessed some shocking behaviour on buses from people of all ages, and drivers have told me just how bad it can get. Has the transport secretary assessed the impact of that behaviour on passenger numbers? If not, when will she manage to do that?

Fiona Hyslop: That is an important point. I do not have information to hand on whether there has been an impact, but I will certainly ask my officials to look into that.

The young persons free bus pass for under-22s has, in effect, saved the bus system in many ways. The pandemic resulted in a collapse in patronage and in older people not coming back to buses as much. We need to recognise that the scheme has been a success for young people and for the bus companies but, where there has been antisocial behaviour, we need to introduce different measures. Monitoring patronage is an important part of that.

Milngavie Rail Line (Service Frequency)

2. **Ross Greer (West Scotland) (Green):** To ask the Scottish Government what would be required for the frequency of service on the Milngavie rail line to return to quarter-hourly throughout the day, as was the case before the Covid-19 pandemic. (S6O-03838)

The Cabinet Secretary for Transport (Fiona Hyslop): As was discussed with Ross Greer during our meeting last year, Milngavie station is well served under the regular timetable, which was reintroduced on Monday this week. There are two trains per hour throughout the day, which increases to four trains per hour in peak times. The current service provision reflects passenger demand in the peak and off-peak periods.

Ross Greer: I am grateful for the time that the cabinet secretary and her officials took to speak to me last year. My question was about what would be required for the Milngavie line to return to its pre-pandemic timetable of four trains an hour throughout the day. Until the pandemic, there clearly was the patronage to support that, and I am interested to find out what would be required for us to return to that. I recognise that we are not at that stage yet; I am simply asking the Government to explain what would be required for us to return to four trains an hour throughout the day and not just at peak times.

Fiona Hyslop: The member might be aware that ScotRail assessed timetables to identify how we could maximise usage and meet customer needs. However, sometimes, after availability and a cost benefit analysis have been taken into account, it is not always possible to give everybody what they want at every opportunity. I know that reliability of services is important to regular users of train services. In terms of additional resources, such as fleet and drivers, ScotRail will continue to keep the matter under review. As for the member's ambitions, he has to recognise that we are still moving past the Covid period in terms of patronage both on buses, which we just discussed, and on rail.

Pam Gosal (West Scotland) (Con): Although I am glad to hear that the temporary timetable is finally no longer in place, commuters from my local area of Milngavie are now forced to pay £7.10 instead of £4.80 for a service to Glasgow during peak times. The Government has also put forward a plan to reduce car kilometres by 20 per cent by 2030. How does the Scottish Government expect to reduce car travel when it has made public transport more costly?

The Presiding Officer: That question was fairly expansive in relation to the substantive question. You may respond on the substantive point, cabinet secretary.

Fiona Hyslop: Help for passengers to use rail more often includes the introduction of discounts of 20 per cent on weekly season tickets, monthly season tickets and annual season tickets. If people go from Glasgow to Milngavie, or in the other direction, four days per week with a monthly season ticket, the cost per day can be £4.60. If people use a flexipass, which allows six return journeys over a 60-day period and can help people who are hybrid working, that cost is only £4.78. I am sure that, after I sent members a letter that provided sample costs when people use the discounts, Pam Gosal and other MSPs will have promoted those discounts and circulated that information to their constituents.

The Presiding Officer: We move to question 3. Let us keep our questions and responses concise.

Inclusive Communication (Update)

3. **Neil Bibby (West Scotland) (Lab):** To ask the Scottish Government whether it will provide an update on its work on inclusive communication. (S6O-03839)

The Minister for Equalities (Kaukab Stewart): We wrote to update stakeholders on the Scottish Government's work on inclusive communications on 14 August 2024. The letter shared the decision to produce enhanced guidance, tools and training to support public authorities to improve their use of inclusive communication. That, in turn, should help them to better perform their general equality duty.

My decision was informed by careful consideration of what we believe would make the most impact. We have since confirmed funding for that work, and officials have begun preparations for a scoping exercise on resources and gaps.

Neil Bibby: My constituent Marion Burns from Renfrewshire, who has to communicate through a device, has shared with me her difficulty in using public services. In a recent letter to me, the minister turned down the opportunity to meet Marion and others with similar lived experience. That is despite the minister's predecessor having suggested a meeting, which I presume was because of a recognition that work on inclusive communication should involve those who have inclusive communication needs, so that they can provide invaluable insight into their experience. Will the minister reconsider and meet my constituent and others at the earliest opportunity?

Kaukab Stewart: I note that Neil Bibby has been consistent on the issue and has raised it many times on his constituent's behalf. Now that I am five months into the job, I am happy to take up his challenge and look at the matter.

Forties Pipeline System (Grangemouth Refinery Closure Impacts)

4. **Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government what impact it anticipates that the planned closure of Grangemouth oil refinery will have on the Forties pipeline system and associated jobs and businesses. (S6O-03840)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): We continue to engage constructively with businesses at Grangemouth to fully understand the impact that the closure of the refinery will have on the area, in particular on employment.

Ineos has confirmed that the Grangemouth refinery does not process significant volumes of Forties pipeline system derived crude, with the majority of the asset's feedstocks being imported. Therefore, it is expected that the refinery's closure will have limited impact on the Forties pipeline system.

More generally, and as outlined in the Scottish Government's draft energy strategy, oil extracted from the North Sea is predominantly exported to international markets.

Liam Kerr: The cabinet secretary's complacency is extremely concerning, because industry voices and experts warn that the Forties pipeline—which connects 80 fields to the mainland and enables around 59 per cent of the United Kingdom's oil and gas to reach customers—could shut down as early as 2030 due to the fiscal and licensing regime that both of Scotland's Governments are pursuing. The GMB says that both Governments have taken a hostile, fundamentally dishonest position on the realities of oil and gas.

Will the cabinet secretary be honest and tell us when the delayed, discredited draft energy strategy will finally be published and whether the deeply damaging presumption against oil and gas will be removed?

Kate Forbes: It is somewhat bizarre to hear a member discredit a strategy that has not yet been published.

The oil and gas fiscal regime and the UK energy profits levy, which the member referenced, were reserved to the UK Government and introduced under the predecessor regime to the current Labour Government. I agree with Liam Kerr on one point, which is that we have consistently called for a fiscal regime for North Sea oil and gas that provides stability and certainty to businesses, protects jobs based in Scotland, and incentivises investment in renewables.

I confirm that the Government is concerned about energy security. It believes that we should do everything in our power to support the transition and never lose sight of the importance of energy security in that process.

On the specific issue of the Forties pipeline system—

The Presiding Officer: Very briefly, please.

Kate Forbes: We recognise that it is critical and will continue to work hard to support the careful management of the North Sea energy transition.

Glasgow Safer Drug Consumption Facility (Preparations)

5. **Annie Wells (Glasgow) (Con):** To ask the Scottish Government what preparations it has conducted in advance of the planned opening of Glasgow city health and social care partnership's safer drug consumption facility on 21 October. (S6O-03841)

The Cabinet Secretary for Health and Social Care (Neil Gray): The Scottish Government has provided £2 million funding for Glasgow's safer drug consumption facility, and we have been working with groups leading on the implementation, necessary communications and evaluation of the project. We are also continuing to engage with the Crown Office and the police in the final stages in support of Glasgow city health and social care partnership, which is leading on the facility's establishment.

Glasgow's HSCP is continuing to work towards opening the service as near to the indicative date of 21 October as possible. However, that is subject to compliance with the national health service assure guidance and approvals, which are not yet concluded. Therefore, we have been advised that a date for the service to become operational has yet to be confirmed.

Annie Wells: Real, workable, common-sense methods to fix our drug deaths crisis are needed and welcomed. Since 2007, drug deaths have nearly tripled and we now have the worst drug deaths rate in Europe. Tackling that issue through harm reduction is a commendable goal, but those people who work in recovery say that residential rehabilitation, too, must be a priority. The cabinet secretary has mentioned £2 million, but how much does he expect the funding to be annually for the facility and how much has the Scottish Government spent on residential rehab?

Neil Gray: I recognise the long-standing interest that Annie Wells has shown in that area. She is right that there is no silver bullet—no one answer to our addressing the levels of drug deaths that we are seeing, which I acknowledge are far too high.

Annie Wells is also right that it is not only harm reduction that is important, but residential rehab. We are funding the facility in Glasgow for £2 million annually for the next few years and we have committed £100 million over the lifetime of the national mission for the expansion of residential rehab. That includes £38 million, which will increase the number of publicly funded beds by 140. Public Health Scotland said in its February report that we are on track to meet the target of

1,000 publicly funded places in residential rehab by the end of 2026.

Paul Sweeney (Glasgow) (Lab): Can the cabinet secretary confirm that he is doing all that is in his power to minimise the delays with the NHS assure sign-off process? Can he also confirm that progress is being made with sign-offs for drug testing at the facility and with screening for blood-borne viruses such as HIV and hepatitis C?

Neil Gray: I thank Mr Sweeney for his question and for his long-standing interest in the issue. He will be aware that the NHS assure process is largely outwith my control, as it is an assurance process by its nature, which means that facilities have to go through the processes.

I am very keen that we make progress on the drug testing facilities. There is the potential to make progress on harm reduction, and we are interacting with the Home Office on the necessary processes that would be required from it to allow that to happen.

Union Bridge Repairs (Discussions)

6. **Douglas Ross (Highlands and Islands) (Con):** To ask the Scottish Government what discussions it has had with Transport Scotland and Amey regarding the repairs that are required at Union bridge on the A96 in Keith. (S6O-03842)

The Cabinet Secretary for Transport (Fiona Hyslop): Repairing the A96 Union bridge is a priority, and that expectation has been made clear to our operating company, Amey. However, undertaking the repairs has been complicated by buried services, the work being adjacent to a watercourse, the environmental permissions that are required prior to commencing the works, and the importance of engaging the community in the proposed works so that they know what to expect.

All of that work has now been developed or is under way, and I expect to receive a proposal setting out the permanent repair and the timescale for completion shortly. I will be happy to update relevant members once those decisions have been made.

Douglas Ross: I am grateful for that response, and it should be a priority, but this traffic upgrade has been required since July on a crucial trunk road—the A96, which takes people from Aberdeen to Inverness.

It is important to say that Keith is open for business, but when I have spoken to shop owners recently, they have said that they are seeing a big downturn in footfall because of the restrictions in place and the impact that those restrictions have had on traffic.

Will the cabinet secretary do everything that she can to accelerate the works? As I say, months have passed and so far nothing has happened on the ground. Will she meet with me and business owners in Keith so that she can hear at first hand the impact that it is having on them?

Fiona Hyslop: I understand that meetings have taken place with businesses and with members of the Scottish Parliament about the disruption. That engagement is taking place in order to minimise the impact of the disruption, so I am quite confident that the member has had an opportunity to take part in such discussions.

The works are expected to commence in early winter and to be complete before spring 2025. The work is predominantly from the river, and a lane of the A96 will remain open during the works, controlled by temporary traffic lights, as at present. However, it is a complex site. It has a waste-water pipe, a gas main and BT cables, and environmental consultations are also needed.

I referred to engagement in my initial answer. The member asked for further engagement, but engagement has already been taking place and indeed will continue to take place with businesses to make sure that they understand what will be happening and when.

Landfill (Biodegradable Municipal Waste Ban)

7. **Maurice Golden (North East Scotland) (Con):** To ask the Scottish Government whether it will provide an update on its work to support the introduction of a ban on biodegradable municipal waste going to landfill. (S6O-03843)

The Acting Cabinet Secretary for Net Zero and Energy (Gillian Martin): Scotland was the first nation in the United Kingdom to introduce a ban on sending biodegradable municipal waste to landfill, and 29 local authorities have arrangements in place to comply with the ban, which comes into force on 31 December 2025.

Zero Waste Scotland continues to provide support to local authorities without arrangements to ensure that they are able to meet the requirement on 31 December 2025, and it will publish an updated analysis of residual waste management capacity in Scotland in mid-October.

UK statistics on waste that were published on 28 September show a decrease of 53 per cent of biodegradable municipal waste going to landfill in Scotland since 2010, in part reflecting the preparations for the forthcoming ban.

Maurice Golden: The Scottish Government accepts that there is a risk of incineration overcapacity within as little as two years of the landfill ban being introduced. However, despite the Government claiming to oppose incinerators, a loophole means that those already with planning permission can go ahead. In fact, an extra

420,000 tonnes of capacity have become operational in just the past two years. The loophole can be closed, so how will the cabinet secretary prevent Scotland from becoming the ashtray of Europe?

Gillian Martin: The Scottish Environment Protection Agency has powers to make impartial assessments, put pollution prevention and control regulations in place, and make decisions relating to environmental permits in accordance with those regulations. I know that there have been calls for the Scottish ministers to intervene in the process that is run by SEPA—the PPC process—but they would not normally do so unless there were exceptional circumstances.

The key policy levers that are available to the Scottish ministers to manage capacity are in planning. A review was carried out to which we responded, saying that no further planning permission should be granted for incineration facilities beyond what is already in place.

First Minister's Question Time

12:01

Prisoners (Early Release)

1. **Russell Findlay (West Scotland) (Con):** Just weeks ago, the Scottish National Party released almost 500 prisoners early, before they had served their sentences. In 98 per cent of those cases, the victims were not even told. The Government is now considering the early release of some of the most dangerous criminals in Scotland. Does John Swinney believe that that is the right thing to do?

The First Minister (John Swinney): I understand the seriousness of the issues that Mr Findlay has put to me. We have to address the rising prison population in a sustainable and effective way. The Government took measures that were explained fully to the Parliament, and they took place only once we had parliamentary consent to those steps.

Fundamentally, there is a difficulty about the rise in the prison population. This morning, the prison population is sitting at 8,322, which is a very high level. Ministers are concerned about the wellbeing of prison officer staff and prisoners as a consequence of the level of congestion in our prisons. We have to act, and the Cabinet Secretary for Justice and Home Affairs will give a statement to the Parliament this afternoon on those issues.

Russell Findlay: In 2015, John Swinney's Government ended the automatic early release of prisoners serving sentences of more than four years. My party voted against it, because we believed that the measure should have gone further by applying to both short-term and long-term prisoners. The SNP believed the same—at one stage, at least. Nicola Sturgeon even said:

> "Our objective remains to end the policy of automatic early release completely".—[*Official Report,* 2 April 2015; c 19.]

John Swinney might be even softer on crime than Nicola Sturgeon. Victims groups feel that killers, rapists, domestic abusers, drug dealers and child abusers could be freed early. Does the First Minister believe that such prisoners should be let out without any consideration for victims or public safety?

The First Minister: If we were to follow the logic of what Mr Findlay said in his question to me and the Conservative position that he articulated from 2015, it would result in a much higher prison population than we have today: it would result in prisoners serving longer than is the case, and we

would have an even more congested and, I would say, unsafe prison estate.

We must take the appropriate measures to ensure the sustainability of our prison system. The reality that we face in the prison system today is not one that we are alone in facing, because it has been faced in other parts of the United Kingdom. Significant action was taken by Mr Findlay's colleagues in Government before the general election—and has been taken by the new Labour Government after the general election—to address the fact that there is significant pressure on prison populations throughout the United Kingdom.

We will take a responsible approach, which will be subject to parliamentary scrutiny, and we will always take into account the perspectives and views of victims and address the concerns that they legitimately have about these difficult issues.

Russell Findlay: The reason why the prisons are in such a catastrophic state is entirely down to this SNP Government.

Let us take a look at the kind of criminals that we could be talking about if a new form of SNP early release is announced today. Here are some examples of recent sentences that have been imposed by Scottish courts: seven years for raping a 10-year-old girl; nine years for stabbing a man to death; and five years for sexually abusing four young boys. All those criminals, and many others like them, could be let out early. People in the real world cannot get their heads around criminals not serving the sentences that they are given. Would the First Minister ever find it acceptable to let those kinds of criminals out early?

The First Minister: The issues that Mr Findlay raises are serious. It is not for me to question the sentencing policy that is independently decided by the judiciary. If I was to do that, I would be breaching my constitutional role as First Minister, in which I must respect—this was part of the oath of office that I took when I became First Minister—the distinction between my responsibilities as the leader of an executive Government, and the independent role of the judiciary. If I were to trespass into that area, I would fundamentally compromise the independence of the judiciary. That might be what Mr Findlay wants to do, but it is certainly not what this First Minister, who respects the rule of law and the oath of office that he took, is going to do.

Mr Findlay has suggested that, somehow, we are experiencing a lack of action on justice. Our prisons are absolutely bursting at the seams. That suggests to me—[*Interruption*.]

Things have been shouted at me, so let me clarify that point. Scotland imprisons more offenders per head of population than most other European countries. As a Government, we already invest heavily in alternatives to custody to make sure that we have a sustainable prison estate. Today, we must ensure that the prison officers who run our prisons and our prisoners, to whom we have legal obligations, are working and living in a safe and stable environment. That will underpin the Government's actions.

Russell Findlay: Unbelievable. What a stunning lack of self-awareness. John Swinney talks about respecting judicial independence, but by releasing 500 prisoners early, he trashed judicial independence.

Over the past 17 years, the SNP has relentlessly weakened justice in Scotland. Criminals already get away with inflicting pain and misery on innocent people due to the SNP's failure to tackle crime. Victims and the law-abiding majority are paying the price. For far too long, the SNP's justice system has sided with criminals and not with victims. We have the police issuing a slap on the wrist for serious crimes, the Crown Office and Procurator Fiscal Service diverting criminals from prosecution and prisoners not serving sentences that have been imposed by the independent judiciary. There is a stunning lack of common sense, and it is leaving people feeling that this Parliament does not represent them.

Why has the Government stacked the entire justice system against crime victims?

The First Minister: That is patently untrue. Over the past decade, the average length of prison sentences has increased by 32 per cent. That statistic alone demonstrates that Russell Findlay is putting complete nonsense to me at First Minister's question time. Ninety-eight per cent of all those who were convicted of rape and attempted rape between 2019 and 2022 received a custodial sentence. That is another fact that refutes what Russell Findlay has put to me today.

We have an obligation to ensure that we run a stable and safe prison system. Given the level of the prison population that we have just now, it is a challenge for ministers to fulfil our obligations in that respect, so ministers must act. The Cabinet Secretary for Justice and Home Affairs will give full and transparent information to Parliament in her statement this afternoon, and the Government will take the steps that have to be taken, but it will require the consent of Parliament to do so.

National Health Service

2. **Anas Sarwar (Glasgow) (Lab):** When the Parliament returns after the coming recess, it will be the start of winter. We have a winter NHS crisis every year, but the Royal College of Emergency Medicine has said that there is a winter crisis every day and that the Government continues to

disregard the urgent need to keep patients moving through the system. *[Interruption.]*

I do not know why members are heckling people who are struggling to get NHS treatment. I am talking about their constituents.

The Presiding Officer (Alison Johnstone): I ask members to ensure that we can hear one another.

Anas Sarwar: That behaviour tells us everything that we need to know about Scottish National Party members' priorities.

The Royal College of Emergency Medicine has said that it is like

"the winter crisis ... but every day"

and that the Government is

"continuing to disregard"

the urgent need to keep patients moving through the system.

Three key factors exacerbate the crisis: the number of beds and resources that are lost due to delayed discharge, patients not being treated due to long waits and a lack of capacity that leaves accident and emergency departments overwhelmed. We need meaningful action.

As I speak today, an estimated 1,500 people are stuck in hospital because of a lack of care packages. Can the First Minister guarantee that social care packages will be in place for all those who are needlessly stuck in hospital, so that they can get home for Christmas?

The First Minister (John Swinney): I acknowledge the challenges that Mr Sarwar puts to me. He knows from our exchanges in previous weeks that the issue of delayed discharge occupies a significant proportion of my time and the attention of the Cabinet Secretary for Health and Social Care, because it is at too high a level and is too high for the start of winter. I am deeply concerned about that issue.

We are working with individual partnerships to reduce the level of delayed discharge in different parts of the country. There is significant variation around the country: some parts of the country have very low numbers of patients who are in hospital but who could be in other care settings or at home, whereas those numbers are too high in other parts of the country.

I assure Mr Sarwar that deep and intense work is going on with individual partnerships to reduce levels of delayed discharge and to ensure that the objective that he puts to me, which is one that I want to deliver, can be achieved as we approach winter.

Anas Sarwar: Despite what the First Minister says, the Royal College of Emergency Medicine has said:

"we haven't seen any useful measures so far"

from the Government.

Long waits pile even more pressure on our NHS during winter. Information obtained following a freedom of information request has revealed shockingly long waits for treatment. Some people have been waiting since 2017 for urology treatment, which is a seven-year wait; some have been waiting for general surgery since 2018, which is more than six years; and some have waited more than five years for ophthalmology, gynaecology or orthopaedic treatment, among others. That is scandalous.

The SNP promised to clear waits of more than two years by September 2022, but it has utterly failed. People who go untreated often end up in emergency departments as their condition deteriorates, which places even more pressure on NHS services. Can the First Minister guarantee that every patient who has already waited for more than two years will be treated by Christmas?

The First Minister: The national health service is working to reduce waiting times for individuals. The latest information that is available to us on NHS in-patient and day-case activity, which is for quarter 2, tells us that that is now at the highest level since the start of the pandemic.

The problems that Mr Sarwar puts to me are an accumulation of the impact of delays to treatment because of the pandemic. On waiting times, the figures that I just put on the record show the 10th quarterly increase in a row and are 9.9 per cent higher than they were during the same period last year. That comes on top of the fact that, over the past 12 months, there has been a 5.1 per cent increase in the number of operations performed, which addresses part of the issue that Mr Sarwar put to me, principally with regard to orthopaedic treatment and others.

We are seeing an improvement in national health service capability and in its capacity to impact on the waits that Mr Sarwar put to me, but we have significant challenges to overcome as a consequence of the pandemic. The Government is focusing resources through the investments that we are making. In this financial year, we have allocated more than £19.5 billion—a record amount of funding—to the national health service to ensure that the resources are in place to address the challenges that Mr Sarwar put to me.

Anas Sarwar: The Scottish Government promised to clear all waits of more than two years by September 2022. People are waiting four, five, six or seven years for treatment, so that response

will be cold comfort for people across the country right now.

There is no commitment to guarantee care packages for the 1,500 people who are needlessly stuck in hospital in order to free up much-needed beds and resources. There is no commitment to clear long waits of more than two years by Christmas, which means patients suffering and pressures being added to A and E departments. Those solutions would unlock much-needed capacity in our NHS.

The health secretary published his winter preparedness plan two weeks ago, but it has already been dismissed by key figures in our NHS. Rather than having an actual plan for winter, the Government is supposedly moving to year-round surge planning. Despite what the health secretary says, that proves that we have a crisis in our NHS all year round—a permanent crisis in our NHS. Will the First Minister listen to doctors and nurses on the front line and come back to the Parliament with an actual plan to meet the scale of the NHS crisis this winter?

The First Minister: The Government is putting in place the planning to do exactly that. That is the core duty of the Government. We are also putting in place resources—record investment of £19.5 billion in the national health service is delivering increases in staffing levels to ensure that there is the capacity to deliver the treatment that is required in the national health service.

We have to recognise that the Government can allocate only the resources that it has at its disposal, and we are allocating a record amount of funding. As Mr Sarwar knows, because we have rehearsed these points many times before, the climate of austerity that we have wrestled with for the past 14 years—[*Interruption*]

The Presiding Officer: Mr Sarwar.

The First Minister: —from the Conservative Government places significant challenges on our resources, but we have exceeded the amount of money that was allocated through the Barnett formula to the health service because of the commitment of this Government.

Mr Sarwar thinks that it would help to follow his approach on taxation, which would reduce public expenditure in Scotland by £1.5 billion. That would not help the national health service one little bit. On funding, as the United Kingdom Secretary of State for Health and Social Care said when he was in opposition,

"All roads do lead back to Westminster".

We will wait to find out what the budget tells us when the Parliament comes back after the October recess. Let us see whether the Labour Party breaks with austerity and whether Labour is prepared to invest, because what Mr Sarwar has put to me today is a demand for more investment, but we are not getting that from the Labour Government.

Cabinet (Meetings)

3. **Alex Cole-Hamilton (Edinburgh Western) (LD):** To ask the First Minister when the Cabinet will next meet. (S6F-03447)

The First Minister (John Swinney): The Cabinet will meet shortly after the October recess.

Alex Cole-Hamilton: Steven is a teenager who is waiting for a diagnosis for attention deficit hyperactivity disorder and a range of other complex conditions. His initial consultation with child and adolescent mental health services was five years ago, but he is still waiting for treatment, and his family have no idea when he will reach the front of what must now be the longest queue in the national health service. They fear that he will face more of the most important years of his life—with schooling, relationships and exams—without the care pathway or the medication that he needs.

This is a national crisis. Across Scotland, the number of ADHD referrals has skyrocketed—in Glasgow, it is up by 1,000 per cent among adults—but resources have simply not kept pace with demand. Today is world mental health day, and we know that ADHD often presents alongside other conditions, including anxiety and depression. When we get to next year's world mental health day, will Steven and others like him still be waiting for care?

The First Minister: First, I am sorry that Steven has waited as long as Mr Cole-Hamilton has narrated to me today. If he wishes to furnish me with information about the case, I will, of course, look into it and see what can be established.

What I will say to reassure Mr Cole-Hamilton is that there has been a 15 per cent increase in the number of people accessing CAMHS compared with pre-pandemic levels. In the financial year 2023-24, 18,366 patients started treatment with CAMHS and, in 2022-23, the highest number of people on record started treatment with CAMHS. One in two children and young people who are referred to CAMHS now start treatment within six weeks, which is a significant improvement on pre-pandemic levels.

I know that that is no comfort in addressing the particular circumstance that Mr Cole-Hamilton put to me, but I assure him that the Government has put resources into that area of activity. In 2022-23, the budget was increased from £98 million to £114.8 million—an increase of 17.2 per cent. I hope that that is an indication to Mr Cole-Hamilton of the seriousness with which the Government takes those issues and of its willingness to

address them. We will, of course, commit to doing more, and we will consider the points that Mr Cole-Hamilton has put to me when we settle on our budget position for the next financial year. I hope that we will be able to make improvements on that question.

Fair Work (Tips and Gratuities)

4. **Clare Adamson (Motherwell and Wishaw) (SNP):** To ask the First Minister what the Scottish Government's response is, regarding any potential impact on its fair work agenda and the night-time economy in Scotland, to the new United Kingdom legal framework that has come into force requiring employers to pass all tips, gratuities and service charges on to workers. (S6F-03439)

The First Minister (John Swinney): We welcome the new legal framework, which will ensure that tipping practices are fair, transparent and for the benefit of hospitality, leisure and service workers, who do a great job, every day, in serving our communities across Scotland. The legislation is a step in the right direction for improving pay and conditions for workers.

The Scottish Government is committed to fair work as a key driver for achieving sustainable and inclusive economic growth and a wellbeing economy. Through our fair work first policy, we are using the Scottish Government's financial powers to drive fair work practice and enable Scotland to be a fair work nation by 2025. We will continue to work in partnership with business to ensure that the measures enhance those important economic sectors.

Clare Adamson: I, too, heartily welcome the move. Employers should never seek to profit from tips that are given to hard-working staff.

I note that, under the new legislation, workers will still need to pay tax on their tips. Does the First Minister share my indignation that His Majesty's Revenue and Customs appears to exempt politicians from paying tax on gifts from donors, despite requiring my constituents to pay tax on gratuities in other sectors? Does he agree that that represents a clear inequity that the Labour Government should amend?

The First Minister: Clare Adamson has made a reasonable point, and she welcomes the legislative changes. However, key aspects of the income tax system, such as the definition of taxable income, continue to be reserved. This Parliament cannot effect change on matters such as tips and taxes on gifts.

Clare Adamson has made a very fair and reasonable point, which I am sure will have been heard by those who take those decisions in the United Kingdom Government. If they are at all interested in fairness, the call that she has made should be acted on. [*Interruption*.]

The Presiding Officer: Mr Sarwar.

The First Minister: I am not quite sure why Mr Sarwar is so agitated about this—maybe he has something to be worried about. The fair and substantial point that my friend and colleague Clare Adamson made should be heeded.

Paul O'Kane (West Scotland) (Lab): I am interested in fairness, which is why I welcome the UK Government's publication today of the Employment Rights Bill, which will bring about the biggest increase in workers' rights in a generation—ending fire and rehire, banning exploitative zero-hours contracts and introducing day 1 rights. That is all in the first 100 days of a Labour Government. [*Interruption*.]

The Presiding Officer: Let us hear Mr O'Kane.

Paul O'Kane: What about the Scottish Government's fair work agenda? I and colleagues have written to Government ministers about fair work in the night-time economy and social care, and we have been told that no support is forthcoming to deliver on the promises that this Government made on fair work. When will the Government make good on its fair work promises? In the spirit of new partnership, what work has the Government done with the new Labour Government to ensure the implementation of those workers' rights, here in Scotland?

The First Minister: The Deputy First Minister has raised and discussed co-operation between the Scottish Government and the United Kingdom Government with the Deputy Prime Minister, Angela Rayner, and I have an opportunity to meet the Prime Minister tomorrow, both individually and as part of the council of the nations and regions. I look forward to that.

We welcome the Employment Rights Bill that has been published, and we will co-operate on its implementation. I am struck by the fact that the general secretary of the Scottish Trades Union Congress has argued for the devolution of employment law to the Scottish Parliament so that we can be insulated from the legislation that has been used by the previous Conservative Government to undermine workers' and labour rights in Scotland. Of course, I very much agree with the STUC on that point.

Mr O'Kane raised with me the fact that we are at the 100 days moment. It is important that, for completeness, we talk about all the things that have happened in those 100 days. We have had the cut to winter fuel payments for pensioners, which nobody expected to come from a Labour Government, but it has been prepared to protect the rich and punish the poor. What on earth has

the Labour Party been up to in its first 100 days in office?

Breast Reduction Surgery (Waiting Times)

5. **Tess White (North East Scotland) (Con):** To ask the First Minister what support the Scottish Government is providing to NHS boards in order to reduce waiting times for breast reconstruction surgery. (S6F-03444)

The First Minister (John Swinney): I am acutely aware that there are patients who have waited too long for reconstructive breast surgery. I sincerely apologise to them for that. Reconstructive surgeries are generally highly specialised and can be performed only in certain specialist centres across Scotland, which are currently concentrating their efforts on treating patients with trauma or active cancers. Regrettably, that means that some patients are waiting longer for reconstruction.

As part of this year's £30 million additional investment to address backlogs, we have allocated funding to several health boards to treat patients who are awaiting risk-reducing mastectomy and immediate reconstruction. Building on that work, officials are now engaging with health boards to develop and progress the plan for patients with delayed reconstruction.

Tess White: *The Press and Journal* has reported that Denise Rothnie was diagnosed with breast cancer in 2020. NHS Grampian told her that she could have a mastectomy straight away but, due to the pandemic, she could not have a reconstruction at the same time, because of limited surgical capacity.

Three years on, Denise is still waiting for her reconstruction. She is languishing at the bottom of a waiting list because, shockingly, the resources to help her are still not available. First Minister, you have apologised today, and I am sure that Denise will be grateful for that. However, when will she, and other women in that terrible position, receive that vital operation?

The Presiding Officer: Always speak through the chair.

The First Minister: I am sorry for the circumstances that Tess White puts to me, but the explanation that I have given illustrates the challenges that we face. Clinical priority is driving attention to addressing patients who face trauma or active cancers. As I explained in my answers to Mr Sarwar, we are trying to make progress on the backlog of cases that emerged during the pandemic, which is the context for the case that Tess White raises.

I cannot stand here and offer an instant solution—I am sorry about that—but I will give Tess White a commitment that the Cabinet Secretary for Health and Social Care will engage constructively and actively with health boards to try to make more progress on the issue that she puts to me on behalf of her constituent.

I hope that Ms White and her colleagues will understand that clinical priority is being attached to trying to save lives in the circumstances that we face. In that respect, progress has been made on cancer waiting times, but I know that that will be cold comfort to the constituent whose case Tess White fairly puts to me.

Carol Mochan (South Scotland) (Lab): Given the story that we have just heard, and the fact that, since 2020, no data has been published on breast reconstruction waiting times following mastectomy, will the First Minister commit today to ensuring publication of good-quality data on such waits as soon as possible, so that we can properly see the relevant trends?

The First Minister: We are exploring issues on the quality of the data that we could publish. I say to Carole Mochan that I will take her question away and determine what information can be published. She will understand that I am explaining the problem. I do not have a solution to it today, because of the clinical priority that has been attached to treating cancer. I am very happy for us to be open about the challenges that we face, but we must do so on the basis of good-quality information. I will do what I can to address the point that she puts to me.

Borders Railway Extension

6. **Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** To ask the First Minister what the Scottish Government's response is to reported concerns that the United Kingdom Labour Administration has not affirmed the commitment, which was signed in March 2021 by the UK and Scottish Governments under the Borderlands growth deal, to allocate £5 million towards a feasibility study to extend the Borders railway to Carlisle. (S6F-03457)

The First Minister (John Swinney): We recognise that extending the Borders railway to Carlisle is a regional priority. The Borderlands deal includes a commitment of up to £5 million each from the United Kingdom and Scottish Governments to develop a shared understanding of the benefits and challenges of extending the line. We recently advised Scottish Borders Council that we are content with its proposal to recruit a project manager to lead that work. The release of our funding is, however, contingent on the UK Government approving its share of project costs, as the growth deal is a partnership programme and the project will deliver a cross-border assessment.

I encourage UK Government ministers to reaffirm their commitment as soon as possible.

Christine Grahame: I note that the position is that the incoming Labour Government has apparently not reaffirmed its 50 per cent share of funding. Thankfully, Scottish Borders Council has agreed to progress with the appointment of a senior project manager to lead the delivery of the business case and feasibility work for the extension of the very successful Borders railway beyond Tweedbank to Carlisle, using the 50 per cent funding commitment that was announced by the Scottish Government in June this year—I note the caveat that the First Minister gave in that regard—in advance of receiving full approval to proceed from the UK Government.

Is it not of concern that Labour may be short changing Scotland in this very modest investment, which could have a positive impact on communities, particularly across Midlothian and the Borders?

The First Minister: Christine Grahame puts a case to me in relation to the Borders, but I am aware of a number of cases in which questions have been raised and pauses announced around funding that we and local partnerships believed had been agreed under the city and growth deals that were negotiated in the past. Those funds are being paused essentially for review during the spending review period. I understand, from the information that has been made available to me, that some of that will not be clarified in the budget at the end of October but may have to wait for the spending review that comes in the spring. Obviously, that causes a significant delay to some of the projects that we would ideally wish to take forward and which communities are expecting.

I assure Christine Grahame that those issues are the subject of active discussion and dialogue with the UK Government, and we will continue to engage in that.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I thank Christine Grahame for bringing up this important issue. Thankfully, passenger numbers on the Tweedbank line have returned to pre-pandemic levels, but people in Hawick and Newcastleton feel left out by the issues with the connectivity to their areas.

The Conservative Government pioneered the Borderlands growth deal, which we all welcomed. When does the First Minister plan to meet the Labour minister, Lord Hendy, to discuss that very important issue and to reiterate the benefits of the Borderlands growth deal and the extension to Carlisle?

The First Minister: I am glad to hear the enthusiasm of Rachael Hamilton and the Conservatives for the Borders railway, because I have been around here for so long that I remember that that was not always the case when the proposal was going through the Parliament. However, we will all move on.

I am delighted that the Conservatives value the Borders railway. I think that it is super and that the level of passenger numbers that has been achieved is tremendous. I know that there is quite often quite a lot of congestion on the Borders railway, and we are doing our best to address that. The Cabinet Secretary for Transport takes forward all those issues with her counterparts in the UK Government. She was actively involved in discussions on those questions just last week with the UK Government, and that approach will be maintained.

Keith Brown (Clackmannanshire and Dunblane) (SNP): The Borders railway was, of course, the longest new railway to be built in the UK for more than 100 years.

On cross-border rail travel, will the First Minister acknowledge the recent announcement this week that the Labour Government is looking to extend HS2 into London but has no plans to do what was originally intended and bring it into Scotland, even though the project has cost billions of pounds more than it was meant to cost, and may cost more than £100 billion? The wastage is enormous, and yet there is no commitment to Scotland. Will the First Minister raise that with the UK Government?

The First Minister: I am interested—

The Presiding Officer: First Minister, if I may. It is important that supplementary questions refer to the substantive question in the *Business Bulletin*. Therefore, we will move to constituency and general supplementary questions.

Productivity and Capital Expenditure

Michelle Thomson (Falkirk East) (SNP): Today, the Financial Times reported that the United Kingdom's productivity is at its lowest level since 1850. It has also been reported that UK Government ministers have been asked to model cuts to their capital expenditure plans of up to 10 per cent. Does the First Minister share my concern about the impact that that will have on both Scotland's economic prospects and its public finances? Will he continue to press the UK Labour Government to reassess that and to plan for growth, not austerity?

The First Minister (John Swinney): Michelle Thomson puts a very fair point to me. We have had 14 years of the austerity experiment, and it has been a complete disaster. Our public services are under acute pressure and productivity in the economy has not strengthened because we have not had the sustained investment that is required.

The Scottish Government's capital budget is facing a cut of about 9 per cent, and we are experiencing increases in costs because of multiple factors with construction cost inflation, which in some circumstances exceeds 35 per cent of costs. Those are the realities and they require investment in our economy.

In light of the question from Michelle Thomson, I would appeal to the United Kingdom Government to use the budget on 30 October to end austerity and to start investing in the economy. That is what we need in order to fuel growth. Austerity has failed, and Labour will fail Scotland if it does not end austerity.

Potential Strike Action (Perth and Kinross Council)

Murdo Fraser (Mid Scotland and Fife) (Con): Parents and pupils across Perth and Kinross are deeply concerned at the threat from Unison to strike for two weeks from 21 October, closing schools at the end of the local autumn holiday for a further fortnight. That action is being deliberately targeted at the First Minister's constituency, and it will impact on young people, many of whom have already had their schooling disrupted by Covid.

Unison claims that it simply wants the same pay rises that other public sector workers have already been awarded, but school pupils are caught in the crossfire. What is the Scottish Government doing to try and avoid that damaging action proceeding?

The First Minister (John Swinney): Mr Fraser will not be surprised to know that I take the issue deadly seriously, as a parent of a school pupil in Perth and Kinross who stands to be affected and as the representative of 64,000 people in my constituency whose families stand to be affected.

Let me be absolutely clear with Parliament: I think that there is absolutely no justification for singling out and targeting my constituents just because I am the First Minister of Scotland. The Government is not even the employer here. A pay deal has been offered by local government—by the employers—which has been accepted by two out of the three trade unions. The two requests that were made for an offer to be made that was in excess of, or comparable to, the offer made to local government workers in England and Wales were fulfilled by the local government offer. A second test was that there had to be progress towards £15 an hour and the protection of low-paid workers, and that was fulfilled by the response of local authorities. For that offer to be accepted by two unions and rejected by a third, and for my constituents to be singled out for this treatment just because their MSP happens to be the First Minister, is absolutely unacceptable.

I hope that there can be some dialogue with the local authority employers to bring the situation to a conclusion. The Government has put additional money into the financing of the offer. The Cabinet Secretary for Finance and Local Government has had to come to the Parliament to make £500 million of spending cuts to make the investment, and there is no more Government money available. Members of Parliament know the limitations of the public finances.

I appeal for the issue to be resolved speedily through dialogue between Unison and the local authority employers, where the proper dialogue should be undertaken, and for my constituents' education not to be disrupted any further just because their MSP happens to be the First Minister.

Arran Ferry Services

Kenneth Gibson (Cunninghame North) (SNP): On Tuesday, CalMac Ferries announced that the return of Arran's resident ferry, the MV Caledonian Isles, was to be delayed again. Since it was taken out of service for its annual overhaul in January, the timescale for the vessel's return has gone from early March to June, to August, to September, to October and to mid-November. That has greatly impacted Arran's long-suffering people, businesses and visitors.

With no obvious progress as yet on the redevelopment of Ardrossan harbour, how will the Scottish Government and its agencies ensure that the ferry service to Arran—which is the busiest in the network—is reliable, robust and resilient, and one that islanders and visitors can have confidence in?

The First Minister (John Swinney): I accept the points that Mr Gibson has made on behalf of his constituents in Arran. The position with the MV Caledonian Isles has been difficult. We thought that the vessel would come back into service several weeks ago—indeed, it returned from significant repairs in Birkenhead and we expected it to go back into service—but the issue that Mr Gibson raises has caused a delay to that.

The Cabinet Secretary for Transport is in active dialogue with CalMac to ensure that there is continuity of service. There has been extensive, protracted and very difficult dialogue about Ardrossan harbour—given the close attention that Mr Gibson has paid to the issue, he will know how difficult it has been. No lack of effort has been put into the dialogue—we have just not managed to reach agreement. We have managed to sustain a two-vessel service on the Ardrossan and Troon to Brodick routes over the period, and CalMac will endeavour to ensure that that remains the case in order to service Mr Gibson's constituents. The

Cabinet Secretary for Transport will keep him updated on developments.

Drumchapel Health Centre

Sandesh Gulhane (Glasgow) (Con): I declare an interest as a practising national health service general practitioner. The Drumchapel health centre in my region of Glasgow houses five GP practices and serves one of the most deprived areas of Scotland. The population is rapidly increasing. Many patients have complex and multifaceted health issues, and many do not speak English. There is not enough room for core GP staff. The centre is unfit for purpose, which results in longer waits and widening inequalities. The staff I met are desperate for help, as the centre has been consistently overlooked for an upgrade. Will the First Minister agree to accompany me on a visit to the centre to see how badly the people of Drumchapel are being let down?

The First Minister (John Swinney): I recognise the importance of access to GP services. The Cabinet Secretary for Health and Social Care will be engaging on questions about improvements that can be delivered to the capital estate. I am sure that he will be happy to engage with Dr Gulhane on that question and ensure that the issues that he has put to me can be factored into the Government's capital planning.

Sheku Bayoh Inquiry

Claire Baker (Mid Scotland and Fife) (Lab): The first stage of hearings in the public inquiry into the death of Sheku Bayoh has concluded. Sheku Bayoh's family, who have shown grace and dignity over the long nine years since he died, are calling for the scope of the inquiry to be widened to include the Crown Office and Procurator Fiscal Service's decision not to prosecute. Lord Bracadale, the chair of the inquiry, has urged the Scottish Government to make a decision on the matter as soon as possible, but the family has already waited five weeks on what is a matter of urgency. When will the Scottish Government reach a decision, and does the First Minister recognise the family's pleas so that they can have closure?

The First Minister (John Swinney): I recognise the family's desire for closure on the issue, and the Government established the public inquiry to enable that to be the case. The Deputy First Minister is fulfilling her statutory duties, which require her to consult extensively on any question of the terms of reference being revised. That work is under way, and a decision will be taken as soon as possible.

Scottish Fire and Rescue Service

Maggie Chapman (North East Scotland) (Green): The First Minister will be aware of recent reports that the Scottish Fire and Rescue Service is in a "deadly spiral of decline" that might lead to a loss of life. What is his response to those reports, and will he endeavour to outline how the SFRS and the Fire Brigades Union can transform the service and make it fit for the future?

The First Minister (John Swinney): The Scottish Fire and Rescue Service continues to deliver a high standard of service in order to meet its commitment to keep people in Scotland safe.

In this financial year, there was an overall increase of £29.3 million to SFRS's budget, which is a substantial increase. The budget is now £79 million higher than it was in 2017-18. I do not agree with Maggie Chapman's characterisation of the service. It has attracted investment, and it continues to perform well and to deliver safety and security to the population.

Where I do agree with Maggie Chapman is in relation to the pressure on public finances, which comes from the austerity agenda. I hope that the austerity agenda will come to an end, because, as the member knows, we have to live within the resources that are available to us. However, we should have confidence in a fire service that has more firefighters per head of population than any other in the United Kingdom, and that is well supported by the Government's financial commitments.

Acorn Project (Investment)

Kevin Stewart (Aberdeen Central) (SNP): Despite plenty of warm words from the new United Kingdom Labour Government, it has, much like its Tory predecessor, snubbed Scotland once again and declined to invest in the Acorn project on carbon capture. Does the First Minister share my concern about the UK Government's continued failure to understand the energy sector in the north-east? Will he call on Keir Starmer to rethink and invest in Scotland's just transition?

The First Minister (John Swinney): The Acorn project and the Scottish cluster, which Kevin Stewart highlights to me, are vital for our just transition to net zero. The project is a significant strategic investment for Scotland and, I would add, for the United Kingdom. Therefore, I am very surprised that more progress has not been made on the Acorn project, when confirmation has been given for two projects south of the border and given how critical it is to our prospects.

As Parliament knows, I feel fundamentally misled on the project by the previous United Kingdom Government. I want to see urgent progress on it, and it is one of the issues that I will pursue in my discussions with the Prime Minister when I see him tomorrow.

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

12:46

Meeting suspended.

12:47

On resuming—

Challenge Poverty Week 2024

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a members' business debate on motion S6M-14683, in the name of Paul O'Kane, on challenge poverty week 2024. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises Challenge Poverty Week 2024, which is coordinated by the Poverty Alliance, Scotland's anti-poverty network, and runs from 7 to 13 October; notes that activities, events and actions will take place across Scotland, including in the West Scotland region, which will be aimed at increasing public support for tackling poverty and highlighting the realities of, and solutions to, poverty; acknowledges that Challenge Poverty Week 2023 was the biggest yet, with over 500 organisations taking part; notes that the week emphasises the need for fair funding for the third sector and the importance of a number of key policy asks, including across housing, transport, adequate incomes and food, to help unlock people from the grip of poverty; understands that 21% of people, and 24% of children, are living in the grip of poverty; notes the view that governments, elected members, civil society and communities all have a role to play in solving poverty; is concerned that particular groups of people, including women, lone parents, disabled people and people from black and minority ethnic backgrounds, are disproportionately experiencing poverty; considers that people in Scotland believe in compassion, justice and ending poverty; celebrates the work undertaken by organisations and communities across Scotland to stem what it sees as the rising tide of poverty, and notes the calls for MSPs to attend and support events and activities in their constituencies and regions as part of what it believes is this important campaign.

12:48

Paul O'Kane (West Scotland) (Lab): I am pleased to bring to the chamber this debate to mark challenge poverty week 2024, and I thank members of all parties who signed the motion to allow the debate to take place. It is an important symbol of the cross-party consensus that really ought to govern how we debate in Parliament issues with regard to tackling poverty in all its forms. Although we will disagree on policy, it is important that Parliament is united in debating these issues, because we know that poverty in Scotland remains unacceptably high. The "Poverty in Scotland 2024" report from the Joseph Rowntree Foundation highlights that very deep poverty in Scotland is up to 40 per cent, having surged since the mid-1990s, and that 240,000 children still languish in poverty; rates of child poverty remain static, as so much research has now demonstrated.

There is much work to be done across all spheres of Government, in the Parliament and in

the Scottish Government, but I also recognise the role of the United Kingdom Government and of local government in that work. In a previous debate this week, I said that it was important that the Secretary of State for Scotland and the Cabinet Secretary for Social Justice both launched the Joseph Rowntree Foundation report together on Monday, and responded together, thinking about how they could embark on a new partnership for how we tackle poverty.

I do not want to relitigate too heavily the politics of the issue, some of which we have heard about this week, but I hope that the debate ends up being the discussion that we should have had in Government time earlier in the week, which the Government chose not to have. It is important that, in challenge poverty week, we show our respect to the third sector organisations and anti-poverty campaigners that put in so much to this week and all year round to ensure that the issues are at the forefront of our agenda in Parliament.

This week provides a vital point in the year when civil society can come together and showcase what is happening out there and the best practice across Scotland. It is important to mention the work of the Poverty Alliance, which has co-ordinated challenge poverty week each year since 2013. Bringing together all groups and projects is no small task, especially on top of all the other work that the organisation does year round. I am pleased that we are joined in the gallery today by representatives of the Poverty Alliance, and I am sure that we are all very grateful for the work that it does and for the briefing that it provided to all members.

There is much work to do and many areas in which we need different interventions. As I said, all spheres of government must take tailored approaches to ensure that we reach everyone, no matter their background. That is evident from the themes that have been highlighted each day of this important week.

We could look at the issue of housing. We have many debates in the chamber about housing, and we have had some recently. The effects of inadequate and unaffordable housing on poverty rates are significant, and we need to understand how the housing emergency affects different groups. That is why I welcome Shelter Scotland and Engender's research, published this week, which shows the disproportionate effects that are felt by women and the need for a gendered response to the housing emergency.

On transport, we need to support people to access their places of work, business and services and their support network. It is concerning to see the end of the off-peak rail fares pilot, which increases the costs to working people who commute to work. The distance covered by local bus services has fallen by 15 per cent since 2011-12, and the number of passenger journeys has fallen by 52 per cent since 2007-08. There is much more that we need to do in this place and across our local authorities to support and empower people to use public transport.

Paul Sweeney (Glasgow) (Lab): My friend is making a powerful speech, highlighting that poor mental health—it is world mental health day today—is a critical factor and is driven by the symptoms of poverty. In particular, people seeking asylum in Scotland are being denied free bus travel. That has had a huge effect on their mental health and is particularly egregious. Does Paul O'Kane agree that, if we are to deal with poor mental health in this country, we need to solve the scourge of poverty in every possible way?

Paul O'Kane: I thank my friend for his intervention; he makes an important point. As we discuss these thematic issues, it is clear to me that poor health, particularly poor mental health, can be a result of poverty and that poverty can be a social determinant of health. We need to deal with that in a very serious way. It is important that we put that on the record today and think about what our interventions can be in that space. I also thank Paul Sweeney for the work that he does in that regard and for the work that he has done on free travel for asylum seekers, who are some of the poorest individuals in our society.

Adequate income is an important theme of this week. In-work poverty is at record levels, and we need to look at the level of income that working people receive to make sure that it meets their needs. I point to the work of Close the Gap, representatives of which I and my Scottish Labour colleagues met yesterday, along with other members of the End Child Poverty coalition. Close the Gap has highlighted that inadequate income for women and the gender pay gap are directly tied to child poverty. That is why I welcome the work that the UK Government is doing to introduce the new deal for working people, which will begin to tackle the insecurity, instability and low pay in work that add to poverty.

Clare Haughey (Rutherglen) (SNP): I am listening carefully to what Paul O'Kane is saying. He mentions child poverty. He knows where I am going here—the issue of the two-child benefit cap. Will he join me in calling on the Chancellor of the Exchequer to review that in the upcoming budget?

Paul O'Kane: Ms Haughey and I have debated these issues many times, and she knows that I am committed to a review of universal credit that includes the two-child limit. That work has been set in the context of the child poverty task force, which the UK Government is taking forward. The Secretary of State for Work and Pensions began that work along with the Secretary of State for

Education, Bridget Phillipson. The work is important, because—as I have said many times in the chamber—universal credit does not work. All parts of it need to be reviewed, and a considered piece of work must be done to review those issues in relation to reducing child poverty.

I want to touch briefly on the work that is being done on food insecurity, across this week and more broadly by organisations. We all know that it is a travesty that food banks are necessary in modern-day Scotland and we all want to work for a society in which nobody needs to rely on them. However, they demonstrate the best of people in our communities, who want to throw their arms around those who are most in need.

I take this opportunity to highlight the many community groups in my region that run food banks, food pantries and food security projects. They do admirable work. It is not only about the provision of food but about taking a holistic view of how to support people who most need it. Often, that approach can support people with their mental health and with what is going on in their life. I point to the work of Morton in the Community, which is the charitable arm of Greenock Morton FC, and which hosts collections for Inverclyde food bank and offers a range of services at the club to support people.

I am conscious of time. I finish by mentioning one further thing that has been highlighted this week, which is sustainable funding for the third sector. All these projects are vitally important, but organisations cannot continue to do that work without sustainable and fair funding. I know that the minister and the Government have heard me speak about that, and it is very important that we reflect on it today. I hope that the minister will be able to cover that in summing up.

I am grateful for the debate, and I hope that it is constructive.

The Deputy Presiding Officer: I advise members that, because we have a 2 o'clock start for the afternoon's business, we must stick to time. Otherwise, it is not fair to the parliamentary staff who are required to clear the chamber before we resume our business. I ask members to stick to their allotted time, which is up to four minutes.

12:56

Collette Stevenson (East Kilbride) (SNP): I am grateful to Paul O'Kane for securing today's debate. I acknowledge the efforts of the Poverty Alliance and the wider third sector, not just in co-ordinating challenge poverty week but in challenging poverty day in, day out. I will focus most of my remarks on areas of consensus across the chamber, based on the challenge poverty week themes.

We are all agreed that there are challenges with housing supply. Parliament has declared a housing emergency across Scotland, and my local council has declared one in South Lanarkshire. Equally, there is a housing emergency in England and Wales. I therefore welcome the First Minister's announcement of nearly £600 million for social and affordable housing this year, which will build on the Scottish National Party Government's delivery of nearly 135,000 such homes, including around 5,400 in South Lanarkshire.

In the spirit of consensus, I encourage Labour colleagues to ensure that the Chancellor of the Exchequer's first budget tackles the housing emergency. Rachel Reeves must reverse the £1.3 billion cut to Scotland's capital budget in order to unlock money for house building, and she must uprate local housing allowance to help low-income households that are struggling with rent.

On transport, because of the Scottish Government's expansion of concessionary bus travel to under-22s, more than 2 million people in Scotland, including older and disabled people, can now travel for free by bus. There is agreement across the chamber about improving our bus system, and the Transport (Scotland) Act 2019 gives local authorities the power to run local bus services to fit local needs. I also welcome the Scottish Government's work on integrating different transport methods. In East Kilbride, parts of the town, including the village of Stewartfield, do not have adequate bus services and many people need to drive or take a bus to use the train. An integrated ticket system and improved bus service would help people to leave the car at home and, importantly, tackle the effects of poverty.

On adequate incomes, the Scottish Government established an expert group, including representatives from all five parties, to consider a minimum income guarantee. I look forward to reading its final report when it is published soon.

With the limited powers of devolution, the SNP Government has built a new social security system in Scotland that is based on the principles of fairness, dignity and respect. That system delivers 15 benefits, seven of which are unique to Scotland. From the game-changing Scottish child payment to the adult disability payment, we are supporting around 1.2 million people and tackling poverty. The carer support payment is financially supporting unpaid carers, and the carers allowance supplement tops up their incomes beyond the United Kingdom system.

I would like to say much more, but I need to conclude. Since it was reconvened 25 years ago, the Parliament has made great strides in challenging and tackling poverty.

Pam Duncan-Glancy (Glasgow) (Lab): Will the member take an intervention?

The Deputy Presiding Officer: The member is about to conclude, I hope.

Collette Stevenson: With policies such as free personal care for everyone who needs it, concessionary bus travel for people young and old, and the Scottish child payment, which is estimated to be keeping 60,000 kids out of poverty this year, the Parliament is delivering measures that benefit all our citizens and tackle inequality.

The Deputy Presiding Officer: Could you please bring your remarks to a close, Ms Stevenson?

Collette Stevenson: As we reflect on this challenge poverty week, I hope that we can build on those steps and work together to eradicate the scourge of poverty on our society.

13:01

Jeremy Balfour (Lothian) (Con): I thank my friend Paul O'Kane for securing this members' business debate. It is encouraging to have the Parliament engage in not one, but two debates this year regarding challenge poverty week. It is important that we as MSPs always remember that we are here to serve the whole of Scotland, with special regard for the most vulnerable among our citizens. Whatever decisions are made in this building, we must always think first and foremost of how they will affect them. In that spirit, I do not think that it will surprise anyone to hear that I want to spend my time highlighting the continued difficulties of disabled people in Scotland.

Some might say that the debate is not about a disability issue and that we should focus solely on the core issue of poverty. To those people, I say that we cannot truly challenge poverty without confronting the frankly disturbing figures that describe the dire straits in which disabled people find themselves.

Only around 50 per cent of registered working-age disabled people are in employment, compared to more than 80 per cent of their non-disabled counterparts, and 25 per cent of individuals in families with at least one disabled member live in income poverty, compared to 16 per cent of individuals in households with no disabled member. According to the Joseph Rowntree Foundation's 2023 data, 23 per cent of families with a disabled member are behind on at least one bill and 30 per cent have no savings to fall back on.

There can be no argument that disabled people are being left behind. That is not a political point; it is a recognition of the reality in which we find ourselves today. Scotland in the 21st century is not a place that allows all disabled people to thrive. What will we do about it? This is challenge poverty week, after all. How will we challenge disabled poverty?

The simplest way to begin to address the source is to listen to disabled people. We must give them a strong voice. I would be willing to bet that many of my colleagues across the chamber and across all levels of Government were not aware of some of the staggering figures that I read out. That is not because they do not care, but because disabled people do not have the time, energy or resources to make their voices heard.

Before the end of this year, the Scottish Parliament will probably be asked to vote on a proposal to give disabled people a champion who can speak on their behalf. A lot of noise has been made about crowded landscapes and the fact that organisations already exist that should be providing that voice. However, the reality is that they are not. The Equality and Human Rights Commission, the Children and Young People's Commissioner Scotland—all of them—are clearly not picking up the slack.

If the Parliament does not support that proposal, then we will be asking disabled people to trust that the institutions that have let them down time and again will, all of a sudden, change. However, if they have not done so before, why should we believe that they will in the future?

If we really want to challenge poverty—if we really want to challenge disabled poverty—we will vote to give disabled people that voice. We will vote for a disability commissioner. Forget the politics—let us do the right thing.

13:05

Pam Duncan-Glancy (Glasgow) (Lab): I thank Paul O'Kane for securing this debate in such a significant and important week. I thank the many organisations across Scotland, especially the Poverty Alliance, which we have heard is here today, for such a successful challenge poverty week 2024, for getting organisations across Scotland to focus efforts and increase public support for tackling poverty, and for highlighting the realities of and solutions to it.

People have come together in communities, organisations, schools and even in this Parliament to rise against poverty, discuss the solutions to it and support people living with it. Right now, in Scotland, more than 1 million people live in poverty—one in four of those is a child. In some areas of Glasgow, the region that I represent, more than half of children are living in poverty.

We know that poverty disproportionately impacts certain groups the hardest. I echo much of

what my colleagues Jeremy Balfour and Paul O'Kane have said on that matter. The Joseph Rowntree Foundation report found that children and working-age adults in a family where someone is disabled were three times as likely to experience low income. The Educational Institute of Scotland's recent report, "Standing Up to Poverty", states that

"children who live alongside 3 or more other children in the household, those with a disabled household member, minority ethnic households, and single parent households are all at ... greater risk".

Also, as Close the Gap reminded us ahead of the debate, women are more likely to be in poverty than men, more likely to experience in-work poverty than men and more likely to experience persistent poverty than men.

Poverty is a scandal. It widens inequality and it holds people back. We cannot and must not tolerate that, because there should be no class, glass or step ceiling in the way of opportunity. The problems that are put in the way are great. The scale of the challenge is extreme, so the scale of action must match it. We need action on housing, including on the affordable housing supply programme, to ensure that people, including children, live in safe, secure and permanent homes. That is why many organisations are disappointed that the housing budget was cut and have urged the Government to respond to the housing emergency swiftly and with a resourced plan.

We need action to support the families who need it the most by meeting the costs that they face, including fuel and travel costs. On travel costs, I echo my colleagues Paul O'Kane and Paul Sweeney in their call for the Government to look at the issues of peak fares and travel for asylum seekers. We need to reduce costs for disabled people, including by ending care charges, which I am disappointed to say still exist, despite the Government saying that it would scrap them.

Access to food is also crucial, so free school meals for all pupils is key. I hope that the Government will listen to Parliament and others and consider fulfilling the promise that it made in that regard, because the Child Poverty Action Group has found that 20 per cent of children in poverty in Scotland are missing out on free school meals.

Where actions in those areas fall short, third sector organisations step in. That is why fair funding for the third sector, which has been highlighted this week, is key. The issue is about not only overall resource, but how the Government offers and handles that funding. In particular, all late decisions and in-year movements are unsettling. For many people in insecure roles, that affects morale, retention and delivery of critical front-line services. Despite that, people who work in the third sector work tirelessly and passionately to improve lives every day.

Ahead of this week, organisations have set out what they want policy makers to do, or at least to consider. There is a range of asks to unlock people from the grip of poverty, and it covers a wide spectrum, including housing, transport, adequate incomes, food costs of the school day and even the unequal distribution of pay and work.

We on the Labour benches know that there is no silver bullet, but also that doing nothing must not be an option. That is why my party is working in government to take action to tackle poverty at its roots with the new deal for working people, with Great British energy bringing well-paid jobs to Scotland and bringing down bills, and with ending tax breaks for private schools, so that we have more money for state schools—

The Deputy Presiding Officer: Ms Duncan-Glancy, you must conclude, please.

Pam Duncan-Glancy: Those are just some examples of what we can do to end poverty in Scotland.

13:09

Maggie Chapman (North East Scotland) (Green): I thank Paul O'Kane for his motion and for securing this important debate during challenge poverty week. I am grateful, too, for briefings from third sector organisations for this debate and the Scottish Government one on Tuesday, and I am grateful for all the work of the Poverty Alliance and its members in organising this annual series of events and projects and in advocating for urgent and vital policies to address both the causes and symptoms of poverty.

The North East Scotland region, which I represent, spans a wide spectrum in terms of poverty statistics. Of all Scottish local authorities, Dundee City Council has the fifth highest percentage of data zones that are in the 20 per cent most deprived in Scotland, while Aberdeenshire is towards the other end of the scale. More than 28 per cent of children in Dundee live in poverty, as do nearly 25 per cent of those in Angus, whereas the figure in Aberdeen City is approaching 22 per cent, and in Aberdeenshire it is less than 17 per cent. All those figures are too high.

People experience poverty in different ways and, in many ways, being poor in a relatively prosperous rural area can be more difficult and isolating than if one is sharing that common experience with a greater number of neighbours. The Poverty Alliance network includes organisations that support and represent people in

poverty across Scotland, in cities, towns and rural areas. Their actions and work are truly valued.

Just as poverty takes different forms in different places, people with particular characteristics or identities might be, through structural oppression and prejudice, made more likely to experience poverty. Some of the most acute forms of poverty and destitution are imposed on migrants, including those seeking asylum, who are neither permitted to work freely nor entitled to receive social security payments. The Grampian Regional Equality Council, which is based in Aberdeen, has carried out a successful project on no recourse to public funds to raise awareness of that situation, share experiences and work with others in the No Recourse North East Partnership to mitigate its worst impacts.

Meanwhile, in Dundee, many community organisations are working to help local people and families to cope with the effects of food and energy inflation. One such is Hilltown Community Larder, which, for a small payment, provides a range of groceries to members as well as offering signposting to other support services.

In Dundee, yesterday, as part of challenge poverty week, Circle Scotland CIC's mobility hire service, Dundee Citizens Advice Bureau, Hillcrest housing association, Dundee International Women's Centre, Stobswell Forum and Dundee Carers Centre came together at the Boomerang Community Centre. Together with council staff, they spoke about the impacts of fuel poverty and other forms of on-going poverty in the city, providing advice to those affected and raising wider awareness of the gravity of these issues. In Angus, Home Energy Scotland is offering free advice on energy saving in its get ready for winter events—one was held yesterday in Arbroath and there is another tomorrow in Forfar. All those groups, people and communities are coming together and helping one another.

Scotland is so rich in community and third sector organisations, large and small, depending largely on volunteers who give their time and energy with care, compassion and a deep-seated sense of justice and solidarity. They also share common concerns and anxieties about the financial sustainability of their work. Without secure multiyear funding, essential services are thrown into turmoil, with organisations unable to make decisions about staffing, premises and the projects on which vulnerable people rely.

As I said in my speech in Tuesday's debate, challenging poverty means recognising its realities, mitigating its effects and making structural changes to transform the way in which our society works. All those tasks involve the dedicated work of third sector organisations, and none would be possible without them. Those organisations deserve not only our thanks and commendation, but financial certainty, security and respect.

13:14

Meghan Gallacher (Central Scotland) (Con): I am pleased to contribute to Paul O'Kane's members' business debate to highlight the importance of challenge poverty week 2024. I will use my time to raise an important issue that I have been looking into for quite some time. It relates to Paul O'Kane's opening speech, in which he mentioned the importance of food provision.

When I was the Conservative spokesperson for children and young people, I visited a Stirling food bank after I was contacted by an individual who wanted to help families with babies but had come across a huge barrier to supplying baby milk to families in need. Milk is, of course, essential for the first stages of an infant's life and, if the mother is unable to breastfeed, they rely solely on baby milk formula. The nutrients that are contained in the milk are vital for a baby's healthy growth and development. However, keeping up with the cost of bottles and tins can leave many mothers who are struggling financially in a worrying situation. To put that into context, it can cost up to £18 per 800g for baby formula powder. I know from when my baby, Charlotte, was growing up that that can involve a lot of tins over a very short period of time.

At present, food banks are not permitted to accept or distribute infant formula donations. Although I fully accept that that guidance comes from UNICEF rather than the Scottish Government or the UK Government, it makes no sense to me whatsoever to deny a family that vital product, which they might need to help to provide for their child.

Local authorities, health boards and public health teams play an important role in identifying families and meeting their needs with regard to infant formula through wraparound care. However, for quite some time, I have been concerned about families falling through gaps in the system. Some families will go to a food bank when they hit crisis point, instead of following the direct services route that I mentioned.

UNICEF suggests that food banks should contact health visiting services, public health teams, local authorities or health boards to agree on a referral strategy for families who are in crisis and need support. However, that can be a very long process involving layers of bureaucracy. Families who need to feed their babies need that help directly. They simply cannot wait to go through the various layers of the system.

The healthy start scheme is another route, but it is not immediate, and not all families are eligible to use it.

I understand the risks of food banks handing out baby milk, but I also understand the risks of buying baby milk from a supermarket. In my view, those risks are exactly the same. There must be a way round the issue. A supermarket in Buxton was able to support a local paper's campaign to support the High Peak Baby Bank, which led to people being able to donate items from supermarkets, including formula, wipes and food.

However, the guidance must be clearer. In my view, it is simply common sense to ensure that families are able to access baby milk formula if they need to. I would welcome the opportunity to speak to the minister at a future point to talk about how we can engage with UNICEF directly to see whether there is any way of overcoming such barriers for charities and organisations that do a wonderful job to help families in need.

This is challenge poverty week. I hope that there will come a day when families do not need to rely on food banks, but until we tackle the root causes of poverty, we must ensure that such vital items are available to support families with babies. I fully believe that every child deserves the best possible start in life. One way in which we can improve the health and wellbeing of babies in Scotland is by looking at whether baby milk can be supplied through food banks. I urge the Scottish Government to do that. I am more than happy to work with the Government on the matter so that a commonsense approach can be adopted to tackling poverty in Scotland.

13:18

Marie McNair (Clydebank and Milngavie) (SNP): I welcome Paul O'Kane's members' business debate on challenge poverty week, which follows on from the Scottish Government's significant debate on the issue that was held on Tuesday. I thank all the anti-poverty organisations that have provided briefings for the debate.

Poverty can often be hidden behind closed doors or masked by pride, but it is a persistent and systemic issue. Unfortunately, it can involve parents and elderly people choosing between heating and eating, which is not a choice that any of us, as parliamentarians, face. Therefore, it is up to us to push for the change that we need.

Tackling child poverty is one of the SNP Government's biggest priorities, and it is one that we remain firmly focused on. We prioritise those who are most in need through a range of policies, including the Scottish child payment, which, as the Poverty and Inequality Commission noted, has been described as a "game changer" and is one of the main contributors to progress in reducing child poverty at the national level.

When I spoke in last year's debate on this topic, I listed the many organisations in my community that challenge poverty not just for one week but for 365 days of the year. That remains true today. There are simply so many that I cannot name them all, but it is important to me to put on record my thanks to Golden Friendships, Old Kilpatrick Food Parcels, Faifley food share, East Dunbartonshire Foodbank, Dalmuir Barclay church community pantry, West Dunbartonshire Community Foodshare, the Recycle Room, East Dunbartonshire Citizens Advice Bureau, Improving Lives, West Dunbartonshire Citizens Advice Bureau, Clydebank group holidays, advice staff in East and West Dunbartonshire Councils, Clydebank Asbestos Group and so many more.

Every day, those organisations are saving lives. Every day, they show kindness, warmth and dedication to serving those most in need and, in turn, make our communities better places. I look forward to seeing all those wonderful organisations at my cost of living event next month—an event to which they all come, ready to help our communities.

The fact that such groups must exist in this day and age is appalling, and the UK welfare regime that fuels their existence needs a radical overhaul to make it fit for purpose. So far, unfortunately, there has just been more of the same. Indeed, for many pensioners, things are now getting even worse.

There has been no movement on child poverty, either. Despite good efforts by the previous Labour Government, Labour has now become the party of child poverty. I am thinking of the two-child policy and the abhorrent rape clause. The fact is that Labour has not just kept children in poverty but actively dragged them into it, because, as a new report from CPAG has stated, every day that the two-child policy remains in place, 109 children are pulled into poverty. CPAG has made it clear that

"Scrapping"

the two-child limit

"is the most cost-effective way to stop more kids being pulled into poverty on the"

UK

"government's watch".

Labour MSPs should demand that it be scrapped in the budget, and I hope that they do, but so far this week they have failed to do so. I give credit where credit is due, though, and commend Richard Leonard and Alex Rowley for their actions. It was good to see that.

It is very telling that the SNP has done more than today's new Labour Party to keep in place a Gordon Brown policy to keep pensioners warm this winter. Unfortunately, real change is not coming, and it looks like—

Paul O'Kane: Will the member give way?

The Deputy Presiding Officer: Marie McNair will be concluding quite soon.

Marie McNair: I generally would take an intervention—I would really like to hear what the member has to say—but I need to keep going.

Unfortunately, real change is not coming. To adapt a previous slogan from new Labour, it looks like things can only get worse.

The powers of independence will let us leave this tragedy behind. With the powers of independence, we can truly challenge poverty. Only with control over our own affairs can we do that and truly achieve a more equal and poverty-free Scotland.

The Deputy Presiding Officer: Thank you, Ms McNair. I now call on the Minister for Equalities, Kaukab Stewart, to respond to the debate.

13:22

The Minister for Equalities (Kaukab Stewart): I thank Paul O'Kane for bringing this important debate to the chamber. I thank members for their speeches and I will try to respond to as many of them as possible.

Listening to what has been said today and reflecting on the many activities that are happening this week reinforces for me the point that Paul O'Kane made that tackling poverty is a collective effort and a national mission. I, too, am grateful to the hundreds of third sector organisations that are working tirelessly to support and advocate for those in poverty, often providing lifeline support to those who need it most.

Ending child poverty is this Government's foremost priority, but we can achieve that only by tackling the deep-rooted causes of inequalities in our society and ensuring that every community can thrive. Despite an incredibly challenging fiscal context, we have continued to invest around £3 billion each year since 2022-23 on policies that tackle child poverty and protect people from the effects of the cost of living crisis. Those policies include the Scottish child payment, which is providing absolutely essential support in that respect. Indeed, Ruth Boyle of the Poverty Alliance, who I know is in the chamber today, told the Social Justice and Social Security Committee that the payment is having a clear impact on parents' ability to provide the essentials that their children require. Meghan Gallacher made some very legitimate comments about food insecurities and I will consider her proposals.

Our policies include free bus travel for more than 2 million people, support for young and old people with disabilities to access essential services and live fuller lives, and helping people to keep warm in winter with guaranteed support through our winter heating payment for those on low incomes, including those on pension credit and other relevant benefits.

We are delivering support to those who need it most. Scottish Government modelling, which was published in February, estimates that this Government's policies will keep 100,000 children out of relative poverty in 2024-25.

I will now take some time to refer to members' speeches. I heard several calls for fairer funding for the third sector, and we are committed to developing that approach, which provides clarity and stability in order to secure the sector's resilience and grow its capacity.

However, it is important to recognise that multiyear funding is challenging to deliver in the current context because any commitments will, inevitably, reduce flexibility in future years. Where possible, we aim to increase the number of multiyear grant offers to third sector organisations.

Housing was mentioned by Paul O'Kane, Collette Stevenson and Pam Duncan-Glancy. It is critical to tackling poverty, which is why we declared a housing emergency in May and have been working at pace since then to take urgent action. We have committed £100 million to grow investment and support the construction of around 2,800 mid-market rent homes, and we have invested £22 million in the charitable bond programme to support more than 150 new affordable homes.

Paul O'Kane's motion mentions ethnic minorities, and we acknowledge that too many people from ethnic minority backgrounds are living in poverty. We are taking wide-ranging action to tackle the deep-rooted inequalities. That includes investing £6.3 million through our equality and human rights fund across 2021-25 to support race equality and anti-racism organisations, such as BEMIS Scotland, the Minority Ethnic Carers of People Project and Amina—the Muslim Women's Resource Centre, to provide targeted support for ethnic minority communities, including advice, advocacy and training.

The Scottish Government also recognises the lived experience and reality of disabled people and the multiple barriers that they face, as well as the fact that real change is needed. Once again, I thank Jeremy Balfour for his articulate and impassioned work on that issue, which he raises continually, as he should.

We continue to work closely with disabled people's organisations to develop and implement a plan that is informed by the lived experience of disabled people, and I have been attending such meetings very recently. The Government shares Jeremy Balfour's commitment to improving outcomes, and we will carefully consider the detail of the bill that he referred to.

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

Kaukab Stewart: I do not have the time to do so, unfortunately.

Being mindful of time, I would like to mention that the UK Government has a role to play in this matter. There is clear evidence that the policies of the previous UK Government, such as the two-child limit, which was mentioned by Marie McNair, are actively pushing vulnerable families into deepening poverty, and that more and more households are affected by that. Other members have mentioned the work of the Joseph Rowntree Foundation.

Presiding Officer, I know that my allocated time is coming to an end. I am proud of the action that we have taken. Challenge poverty week is a powerful reminder of both the reality of poverty and the fact that it is not inevitable. By working together across all Governments and sectors and with people with lived experience, we can bring about lasting change.

13:29

Meeting suspended.

14:00

On resuming—

Portfolio Question Time

Education and Skills

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business is portfolio question time, and today's portfolio is education and skills. Any member who wishes to ask a supplementary question should press their request-to-speak button during the relevant question.

Subject Choice

1. **Pam Duncan-Glancy (Glasgow) (Lab):** To ask the Scottish Government what its position is on whether young people have the opportunity to study subjects that they are interested in. (S6O-03829)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Under Scotland's curriculum, pupils should be able to have appropriate personalisation and choice during both the broad general education and the senior phase. Timetabling, staffing and resourcing issues may mean that that is not always possible. Where a subject or course cannot be offered by a school, national guidelines encourage flexibility and collaboration with other local schools or colleges or through online and digital approaches.

Pam Duncan-Glancy: The cabinet secretary will be aware of concerns dating as far back as the report by the Organisation for Economic Co-operation and Development and earlier that subject choice in the senior phase has narrowed and that, most worryingly, it has done so at a faster rate in schools in deprived areas.

The cabinet secretary confirmed, in response to the Hayward review, that there would be

"a degree of rationalisation of the senior phase",—[*Official Report*, 19 September 2023; c 73.]

and people have become concerned that the Government's mistakes, which led to a narrower curriculum, could now become Government policy. What did the cabinet secretary mean by

"a degree of rationalisation of the senior phase",

and does she plan to further narrow subject choice?

Jenny Gilruth: I think that the member raised that issue with me in the chamber when I spoke about the Government's response to Professor Hayward's review.

I know that Parliament debated the issue of narrowing subject choice during the previous

parliamentary session, but subject choice has been widened under the curriculum for excellence because the broad general education means that a wider range of subjects is on offer to our young people until later in their academic life.

However, I think that there was a clash of cultures between a senior phase dictated by a final exam system and the broad general education, which is about taking broad approaches to curriculum areas. We have not managed to resolve that, which is the point that I was trying to convey in relation to Professor Hayward's review. Rationalisation was one of the key recommendations in her response.

We know that a number of subjects that are now being delivered in the school context should perhaps be delivered elsewhere, such as in a college setting. When we talk about rationalisation, that is really about ensuring that the qualifications that are being delivered in our schools are appropriate for that environment. I hope that that gives the member some degree of comfort with the Government's approach.

Clare Haughey (Rutherglen) (SNP): Will the cabinet secretary set out the breadth of subjects that currently exists in Scottish education, and will she say what impact colleges, community campuses and virtual education have had on the provision that is available to pupils?

Jenny Gilruth: As I suggested in my response to Pam Duncan-Glancy, the curriculum for excellence provides pupils with a broad general education across eight curricular areas. Schools and local authorities continue to improve access to different learning opportunities and to a wider range of qualifications and courses in the senior phase by having strong partnerships with colleges and community campuses, and through virtual education.

One excellent example of that collaborative approach is the delivery that we are seeing at Dunoon grammar school, which was voted the best school in the world for community collaboration and which I visited earlier this year.

In addition to funding local online learning provision, the Scottish Government funds the national e-learning offer and has increased access to digital devices. That collaborative approach to delivery has meant that, since 2014, we have seen a sizeable increase in the number of vocational qualifications.

Willie Rennie (North East Fife) (LD): The cabinet secretary is cautious about the recommendations of the Hayward review. What does that mean for parity of esteem between academic and vocational subjects and what is she doing now to encourage greater take-up of vocational opportunities in schools?

Jenny Gilruth: The member will be aware that this year's exam results showed another substantive increase in the number of vocational and technical qualifications, which is to be welcomed. That shows the strength of the pathways that are now on offer in our schools.

That work cuts across the work on post-school educational reform that Mr Dey is leading. We want to ensure that that parity of esteem is reflected in the Government's response to Professor Hayward's report. Part of that is about education reform and about reforming the very bodies that I discussed with the Education, Children and Young People Committee yesterday. I look forward to working with Mr Rennie to ensure that the reform of those bodies meets the aspiration for parity of esteem.

Universities (Support)

2. **Sandesh Gulhane (Glasgow) (Con):** I apologise to you, Presiding Officer, and to members in the chamber, for being late.

To ask the Scottish Government how it plans to support the university sector during the current academic year. (S6O-03830)

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): Despite a challenging financial environment, we have continued to show our long-term commitment to Scotland's universities by investing over £1 billion of teaching and research grant funding in the sector in 2024-25, having done so in each year since 2012-13. Our student support offering and policy on free tuition is supporting over 115,000 students this year, and Student Awards Agency for Scotland statistics show that the total amount of direct support to students is over £1 billion for the fifth year in a row.

Ensuring that our universities are on a sustainable trajectory is also at the heart of our on-going work and engagement with the sector to reform the wider post-school education and skills system so that the significant investment that we are making delivers the best outcomes for learners, the economy and society.

Sandesh Gulhane: I thank the minister, but sustainability is not really going to cut it here, because the Educational Institute of Scotland has voiced its concern over the fall in funding from the Scottish Government for Scottish university students. Funding per student is now 19 per cent lower in real terms than it was a decade ago. Savage funding cuts have caused an overreliance on international students, whose numbers are now at a record high. Although I welcome international students, they should not be used to subsidise our universities because of a lack of funding from this SNP Government. A sudden decrease in their

numbers for any reason could bankrupt our universities. Meanwhile, the SNP's cap on places for home-grown students means that Scottish students are being turned away. I am particularly concerned about medicine.

The Deputy Presiding Officer: Question.

Sandesh Gulhane: Does the cabinet secretary consider that the overreliance on income from international students is sustainable? What consideration has he given to the far-reaching consequences of allowing our education system to be so run?

Graeme Dey: It is nice to hear a Conservative welcoming international students, because the rhetoric of the previous UK Government was far from welcoming.

I hope that the university sector would agree that the Scottish Government is working very closely with it on a range of subjects to make it financially more sustainable. On the point about international students, we are working very closely with the sector to enhance the numbers that are coming from a variety of countries. I do not believe that international students coming here is a bad thing. I recognise the risks that the member highlights, but I say to him gently that the issue around international student numbers dropping and the concern that that has caused are directly attributable to the actions and rhetoric of the previous Westminster Government, which he supported.

I seriously hope that this represents a change of position from the Conservatives, certainly in this place, towards being more welcoming of international students and international staff, because that is where we should be as a country.

Secondary Education (Balancing Rights)

3. **Michelle Thomson (Falkirk East) (SNP):** To ask the Scottish Government what further support and guidance it can provide to secondary education establishments regarding the balancing of the right to education of both a victim of sexual assault and the alleged perpetrator. (S6O-03831)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): There is no place for harassment or abuse in any form in our schools. Where staff have reason to believe that a crime may have occurred, they should follow school child protection procedures for onward reporting to Police Scotland and social work services.

In March, with the former First Minister, I launched a new framework for preventing and responding to gender-based violence in our schools. That framework is underpinned by the principle that all children and young people have the right to education, safety and justice, and that all children, young people and staff have the right to learn and work in an environment free from violence. The framework provides guidance for schools on how to respond to and support both the child or young person who has experienced gender-based violence and the one who has allegedly carried out GBV.

Michelle Thomson: The cabinet secretary will be aware, as I am, of the research by Girlguiding Scotland and the University of Glasgow that shows that girls are too frequently experiencing inappropriate sexual behaviour or, indeed, assault. I am, of course, aware of the good work that is going on in the gender-based violence in schools working group. However, there still appears to be a need for specific consideration to ensure that victims are not isolated in learning hubs or other such places while repeat offenders can continue their school day as normal. I have had a recent case in my Falkirk East constituency addressing that specific concern.

Jenny Gilruth: I thank the member for her interest in the issue. I am aware of the research from Girlguiding Scotland, which is seriously concerning, and I am sorry to hear about the experiences of her constituent.

As the GBV guidance makes clear, the needs of the child or young person who has experienced gender-based violence should be central in determining a response to support them, and a clear plan to secure the safety of all children and young people who are involved, which includes appropriate actions, needs to be established by schools.

I acknowledge Michelle Thomson's concern about the burden arising from any change to learning environments that follows young people being affected by sexual violence. I am, however, cognisant that schools should be given sufficient opportunity to implement the guidance—which, as I mentioned in my original answer, was published only in March.

The Government has committed to commissioning an independent review of the guidance to establish positive practices and further areas for improvement before the end of the parliamentary session, and I am happy to keep the member updated on the work of that review.

The Deputy Presiding Officer: Question 4 was not lodged.

Colleges (Priorities)

5. **Maggie Chapman (North East Scotland) (Green):** To ask the Scottish Government what its response is to the recent report by Audit Scotland on Scotland's colleges, which states that "colleges need more clarity from the Scottish Government on the aspects of their role to prioritise," and that

colleges are "making fundamental decisions about their future services without this clarity". (S6O-03833)

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): The Audit Scotland report recognises that important opportunities are coming from the work that we are leading on post-school reform. As we progress that work, we are clear that the priorities for colleges include better alignment with local economic needs, close interaction with employers and being at the heart of skills planning in their regions. We are in on-going dialogue with the college sector about those priorities, including through the work of the tripartite alignment group, and we will continue to work with colleges to support them to maximise their impact on the economy and communities.

Maggie Chapman: In the north-east, Dundee and Angus College has recently launched its sunrise solutions project to embed climate awareness in its courses. Dundee can, of course, be a centre for decommissioning. North East Scotland College is due to open its energy transition skills hub, having already introduced net zero scholarships a couple of years ago. Clearly, NESCol should play a key role in the just transition.

What is the Scottish Government doing to ensure that colleges have the strategic support and resources that they need to catalyse the transformations in our economy and society that are so desperately required?

Graeme Dey: Colleges are critical to enabling a just transition to net zero, not only as centres of teaching and training but as key community anchors. Last month, during Scotland's climate week, I visited NESCol to celebrate its contribution to the energy sector in the north-east and the rest of Scotland, and I was briefed on the energy transition skills hub, to which Maggie Chapman referred.

Like Dundee and Angus College, NESCol is well led by a principal who is absolutely dialled in to the needs of the local and wider economy—in particular, to the just transition agenda. We are committed to doing all that we can, recognising the very challenging fiscal environment in which we are operating, to assist it in that work. We are working alongside colleges and the Scottish Funding Council to provide the strategic support that the member mentioned—for example, via work that is progressing through the tripartite alignment group—to provide greater flexibility for institutions in how they use the funding that is already available and to share best practice.

The Deputy Presiding Officer: Three members have requested to ask—I hope—brief supplementary questions.

Colin Beattie (Midlothian North and Musselburgh) (SNP): What impact have the enormous financial pressures caused by continuing United Kingdom Government austerity had on the funding that is available to support Scotland's college sector?

Graeme Dey: I have noted before that colleges face budgetary challenges, and we cannot ignore the huge part that austerity has played in that. Given the very difficult financial position that the Government faces, I hope that Mr Beattie will recognise the fact that the Scottish Government's budget for 2024-25 provides colleges with the same resources as were available in 2023-24, which is a clear demonstration of the Government's commitment to our colleges.

As I said, we are working closely with Colleges Scotland and the Funding Council via the tripartite group to put to best use the resources that are at our disposal, in line with individual college priorities and the needs of local economies.

Of course, the unknown in all of this is whether the coming UK Government budget will present further budgetary challenges for this Government and our colleges.

Liam Kerr (North East Scotland) (Con): Notwithstanding what we have just heard, the SFC published its final funding allocation in May 2024. We saw the axing of the flexible workforce development fund, the absence of funding to address digital poverty and the coming to an end of mental health funding. In the context of a £32 million cut to the resource budget, an underlying deficit of £70 million and four colleges having significant cash-flow issues, is the Government content for a college to fall over before it provides proper support and sustainable funding?

Graeme Dey: Through the Scottish Funding Council, the Government works incredibly closely with our colleges. When issues that are identified come to the fore, they are responded to.

I am disappointed that Liam Kerr is leaving his role as education spokesperson. I have very much enjoyed our exchanges. He has listed all the issues that colleges face, but I ask him gently where his self-awareness is in all of that. Where is the recognition that the actions of his former Government at Westminster are at the heart of the problems that we all face?

Martin Whitfield (South Scotland) (Lab): The minister has talked about the importance of the post-school aspect of colleges, but the cabinet secretary has just spoken about rationalisation and, rightly, mentioned the important role that

colleges have in that. Can colleges prioritise their role in the senior phase? How can they do that without investment from the Scottish Government?

Graeme Dey: The member will be aware of the school-college partnerships that can be, and are being, deployed quite effectively. He is absolutely right to highlight the prioritisation issue, which is one of the aspects that we are considering with colleges. If they choose to prioritise in that space, I want to give them the flexibility to do so.

Anti-racism in Education Programme

6. **Humza Yousaf (Glasgow Pollok) (SNP):** To ask the Scottish Government whether it will provide an update on its anti-racism in education programme. (S6O-03834)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Delivering the work of the anti-racism in education programme is a key commitment in this year's programme for government. We are working with dedicated stakeholders that are key to driving the programme forward. I am pleased that progress continues to be made, including through the recent publication of the new anti-racism action guide, which has been developed to empower employers of teachers to better support their minority ethnic staff. There remains much to do, however, and the Scottish Government will continue to work with stakeholders to drive that important work forward.

Humza Yousaf: I thank the cabinet secretary for that comprehensive response. She will be aware that we are now in black history month. Regrettably, Scotland played a leading role in the British empire, which involved the forced transportation of 3.1 million slaves from Africa to British colonies. Some of the wealthiest slave owners were Scottish—as, in fairness, were some of the leading abolitionists at the time. Does the cabinet secretary agree that, if we do not know our history, we are undoubtedly doomed to repeat it? Will she therefore provide an update on the efforts that are being made to ensure that our children are taught Scotland's history in relation to the British empire?

Jenny Gilruth: I very much agree with the member's sentiment, particularly given that it is black history month. It is important that our history and our wider social studies curriculum provide a range of opportunities to teach about the British empire, including Scotland's role in it. We are funding professional learning programmes relating to teaching on slavery in Scotland and on immigration and empire. Our anti-racism curriculum principles explicitly address that point through the commitment that our children and young people will

"understand and enquire into Scotland's role in historical world events",

which is hugely important. That includes transatlantic enslavement and colonial histories and their continuing impact to this day. Education Scotland is working with local councils to support the implementation of anti-racism curriculum principles.

Schools (Gender Identity Guidance)

7. **Fergus Ewing (Inverness and Nairn) (SNP):** To ask the Scottish Government whether it will provide an update on whether it will review any guidance in relation to the teaching of gender identity in schools, in light of the Cass report. (S6O-03835)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): The Scottish Government is committed to ensuring that the guidance remains up to date and fit for purpose. As with any significant legal or policy development, we will consider whether the guidance requires to be updated to reflect that. That will include any findings of the "Cass Review—implications for Scotland report" that are relevant to schools.

Fergus Ewing: Dr Hilary Cass said that social transition

"is not a neutral act",

but teachers with no experience in that area allow pupils to socially transition and, indeed, are encouraged to do so by the "Supporting transgender young people in schools" guidance. Is it not morally wrong to teach our children that they could be born in the wrong body and that it is possible to change one's sex? Why, despite the Cass review's findings, is the Scottish Government continuing to allow and encourage gender ideology in schools?

Jenny Gilruth: The "Cass Review—implications for Scotland" report, which was commissioned by the chief medical officer, set out the review's recommendations, which have been accepted. They are relevant to gender identity and healthcare improvement in NHS Scotland. The report also recommends how such clinical services should be best delivered in NHS Scotland, and those recommendations are now being acted on.

However, neither the report nor the Cass review examined or considered education settings, which is an important point. The Cass review's remit was to consider NHS England's provision of healthcare for children and young people who seek clinical support relating to their gender identity via national health service clinical services. Such services are not provided by schools or by school staff.

I am clear that it is not the role of schools or school staff to encourage or practically support a young person with regard to their decision about their gender identity. That is a matter for the young person and their families.

In recognition of the importance of ensuring that our guidance for schools is as up to date as possible, as I indicated in my previous response, the guidance for schools will be updated to reflect any relevant changes and information relating to gender identity services in Scotland, as appropriate.

Emma Roddick (Highlands and Islands) (SNP): For many young LGBTQ+ people, home is not always a safe space where they can be themselves. A trusted teacher might be the only person available for them to confide in and turn to for advice and support. In a time of rising hostility and fearmongering around the LGBTQ community—and young trans people in particular—will the cabinet secretary outline how the Scottish Government will ensure that young people who might be questioning their sexuality or gender identity are able to go to a trusted educational professional for support and information?

Jenny Gilruth: Emma Roddick makes a hugely important point. I am clear that it is essential that all young people are able to seek pastoral support, including advice, from school staff. I also agree that there might be an increased need for such support, given the current on-going discourse in wider society in relation to LGBT young people and their rights. The situation has become more challenging in recent years, which is exactly why it is important that young people are able to have those relationships with people in their schools.

Roz McCall (Mid Scotland and Fife) (Con): As has been mentioned, Dr Hilary Cass highlighted that social transitioning in classrooms was setting some children on a pathway to irreversible medical interventions. In addition, it has been widely reported that Scottish primary schools are appointing children as LGBT champions and are asking pupils as young as four whether they are transgender. Will the cabinet secretary confirm whether the Scottish Government will look into the role that taxpayer-funded organisations such as LGBT Youth Scotland play in teaching gender identity in our schools?

Jenny Gilruth: The issue in relation to LGBT Youth Scotland—which, I should say, is not actually funded by the education and skills portfolio—has already been discussed in the chamber in recent months. We work with a variety of third sector organisations, including LGBT Youth Scotland, to help to shape policy and practice and to improve outcomes for LGBTQ+ communities.

Funding is awarded to LGBT Youth Scotland through our equality and human rights fund. It delivers a range of projects to support young people, and we are committed to working with organisations to support young people in their education.

Going back to Emma Roddick's point, I note that that work has become much more important at a time when there has been a rise in the number of attacks against the LGBTQ+ community. It is, of course, up to individual schools, colleges and universities to decide whether they want to adopt the LGBT Youth Scotland charter for education, and I encourage the member to visit schools in her local area to see the impact of the charter in practice.

Gaelic Education (Glasgow Anniesland)

8. **Bill Kidd (Glasgow Anniesland) (SNP):** To ask the Scottish Government what plans there are for the future provision of Gaelic education in primary schools in the Glasgow Anniesland constituency. (S6O-03836)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): The Scottish Government supports Glasgow City Council to ensure that primary Gaelic provision meets parental demand. Children in the Glasgow Anniesland constituency currently access Gaelic primary education at Sgoil Gàidhlig Ghlaschu in Finnieston, and the council is expanding primary provision across the city, with the opening of a fourth Gaelic-medium education primary school in the Calton area. Through the Scottish Languages Bill, the Scottish Government is amending the Education (Scotland) Act 2016 to enhance the parental right to ask local authorities to assess the demand for Gaelic-medium education in their communities.

Bill Kidd: We know that the situation is all over the place at the minute, but there are reports that the United Kingdom Chancellor of the Exchequer is planning to slash capital spending budgets by as much as 10 per cent—a massive figure. That has alarmed a number of parents in my constituency who are concerned about the impact that such deep cuts would have on education, particularly in Gaelic. Will the cabinet secretary say how such proposed cuts would affect Scotland? Will she reassure my constituents of the Scottish Government's continuing commitment to supporting education in the face of continuing Labour austerity and, in particular, to the provision and expansion of Gaelic education?

Jenny Gilruth: The Scottish Government recognises the importance of capital funding, which, as members will know, has contributed to the growth of Gaelic-medium education over recent years. Among other sources, such as Scottish Government funding for local authority

projects and local authorities' own allocations, the Gaelic schools capital fund has been an important source of funding for a range of projects in Gaelic-medium classes, schools and community facilities.

The Scottish Government's Gaelic capital fund was established in 2008 and has been important for the continued growth of Gaelic education and for the language's revitalisation. It has also provided wider benefits to Scottish society.

The fund has supported Glasgow City Council and other local authorities, and decisions on the future of the capital fund will be made later this year. However, I recognise the challenge that the member mentioned with regard to decisions that are taken elsewhere, which ultimately impact on decisions that are taken by this Government, particularly those on capital funding.

Prison Population

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Angela Constance on Scotland's prison population.

14:25

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): In my previous statement on the issue to Parliament in May, I set out the challenge that we face in addressing the prison population and the need for immediate and continued action. The difficult but necessary step of emergency release over the summer had an immediate impact. The population reduced from 8,270 to just below 7,900, and the risk to the safe operation of our prisons was temporarily averted. As I highlighted in May, the impact was expected to be temporary, and that has proved to be the case. The population has continued to rise and has once again reached critical levels. As of this morning, there are 8,322 people in custody, 27 per cent of whom are on remand.

This is not just about the numbers; it is also about the complex needs of the population and the persistent pressures on prison staff. I remain grateful to Scottish Prison Service staff for their continued resilience. I have seen at first hand their excellent work to maintain positive relationships in prisons and their ability to find solutions. The latest projections through to January 2025 indicate that the prison population will likely continue to rise. Without intervention, that would take us into an unsustainable position, and we cannot and must not allow that to transpire.

Over the past decade, the average length of prison sentences has increased, and there has been a consistently high remand population. There is no single lever to address that on-going rise, so we must continue to pursue a wide range of actions. Since my previous statement, the implementation of the Children (Care and Justice) (Scotland) Act 2024 and the transfer of all under-18s to secure care has freed up additional capacity at HMP Polmont. In addition, the Scottish Prison Service continues to maximise all available remaining capacity across the estate. Despite those efforts, those actions will only provide very short-term relief if population trends continue.

There is continued focus on optimising the use of home detention curfew. The number was reduced by emergency early release, and it is now rising again. It is currently around 107. I can confirm plans to lay regulations later this year to enable GPS technology to be used to monitor individuals being released on home detention

curfew. Subject to parliamentary approval, those regulations will come into force in January 2025.

There are high levels of use of electronic monitoring. More than 2,100 people are being monitored on any given day, with electronically monitored bail now available in every local authority area. We are increasing our investment to address that significant challenge. In addition to the 10 per cent uplift in the Prison Service resource budget, we increased our funding to community justice by £14 million this year to further strengthen alternatives to custody. Building that capacity takes time, but recent statistics show a marked and sustained increase in the use of diversion from prosecution, structured deferred sentences and bail supervision. Those actions are having an impact and have reduced the growing population from where it would be without them. However, it is evident that further action is necessary across the justice system.

The independent functions of the justice system and decision making across it will always be fully respected. However, it is vital that partners collaborate to ensure that the system works effectively and in the shared understanding of the critical risk that an increasing prison population poses to the entire justice system. The Lord Advocate will update the Parliament after my statement, in her role as the independent head of the systems of criminal prosecution and the investigation of deaths. I am grateful to the Lord Advocate for her leadership and engagement on this important issue.

In my previous statement to the Parliament on the issue, I set out our intention to look at how we manage the release of long-term prisoners, and to consult on proposals for legislative change. The responses to our consultation, which sought views on bringing forward the point at which most long-term prisoners are released automatically, were thoughtful and constructive. An analysis of the responses has been published today. There is notable support for increasing the time that some long-term prisoners spend in the community under supervision as part of their sentence, and recognition of the benefits that that can bring. However, there are also concerns that changing the long-term prisoner release point at pace would present significant practical difficulties.

The need for any changes to take effect quickly prompted an exploration of alternative approaches. I noted with interest proposals from the Institute for Government in July, which included the option to change the release point for certain prisoners from the halfway point of their sentence to either 45 per cent or 40 per cent of it. The United Kingdom Government has recently implemented the latter, with a reported 1,700 released in September and more to come.

Although our justice systems are not the same, I intend to pursue a similar policy to change the point at which most short-term prisoners are released from 50 per cent of their sentence to after 40 per cent of their sentence has been served. That proposal would come with statutory exclusions in relation to domestic abuse and sexual offences, recognising the particular concerns that will arise about such offences. That will require primary legislation, which I plan to introduce in November. I will ask the Parliament's permission to progress that on an emergency basis.

I remain committed to considering changes to the long-term prisoner release point and will seek subordinate legislation making powers in the bill that I intend to introduce to allow us to return to that issue. The immediate focus of the bill, however, will be on changing the release point for short-term prisoners. Short-term prisoners are those who are sentenced to less than four years in prison and are generally not subject to supervision on release. Therefore, that approach would result in relatively small changes to release dates, as well as avoiding some of the complexities that were highlighted in the consultation.

My intention is that any changes to the release point would apply to those who are already in custody in order to allow for there to be both an immediate and sustained impact on the prison population. We estimate that the new release point, after being implemented, could result in the prison population being between 260 and 390 lower than it would be without any changes being made. That will not resolve the prison population issue by itself but, importantly, it would be a sustainable action, rather than a temporary measure.

I very much recognise the concerns that arise from victims and their families and I am committed to working closely with victim support organisations. Public safety remains paramount, which is why I am focusing only on short-term prisoners, with built-in exemptions.

Although actions that can deliver a sustained reduction in the prison population are a priority, it is vital that plans are in place should the prison population reach the point at which more immediate action is needed. At this stage, it is not my intention to ask the Parliament to authorise the use of emergency early release again. However, I am aware that, if it is necessary and there is no alternative, it may be needed. Therefore, we will begin contingency planning on that option, working with key delivery partners, including victim support organisations, to learn from the emergency early release during the summer. We will ensure that plans are robust, with a clear focus on public protection.

I have outlined the vital steps that we must take towards addressing the rising prison population. I am, however, clear that further and deeper action will be needed. The challenges that we face are complex, and there is no single or straightforward solution. Of course, we must continue to tackle crime, building on the fact that recorded crime is down by almost 40 per cent since 2006-07. We must also continue to strengthen community justice. Community-based interventions and sentences help to ensure that justice is done, and they can be more effective than short-term custodial sentences in reducing reoffending and assisting with rehabilitation.

The safety and wellbeing of SPS staff and those in their care must remain at the forefront of our actions to ensure that prisons continue to function effectively. In addition, we must ensure that we have a prison estate that houses those who pose the greatest risk to the public, and which provides the full range of support that people need to enable them to leave on a better path and never turn back.

That will require a collective response, but it is necessary to deliver what we all want: less crime, fewer victims and safer communities.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement, for which I intend to allow about 20 minutes, after which we will move on to the next item of business. I encourage members who wish to ask a question to press their request-to-speak button if they have not already done so.

Liam Kerr (North East Scotland) (Con): When I previously held the justice brief, between 2017 and 2021, I recall frequently discussing the ballooning prison population and what to do about it, yet today that population is at record highs and, as the cabinet secretary conceded, it is projected to continue to rise. In coming back to the brief, what strikes me is that, despite promises that were made several years ago, there is still no long-term holistic strategy and route map to address the prison system, within the principles of justice and with due regard for victims, which would avoid panicked measures from the Government. I find it extraordinary that 17 years of Scottish National Party justice secretaries have failed to strategise a proper plan. Will the cabinet secretary confirm that a plan will be published this side of the 2026 election?

In 2015, when Nicola Sturgeon announced the end of automatic early release, she said that doing so represented

"the Scottish Government delivering on our justice commitments".

The cabinet secretary proposes to reintroduce such a provision, although it will deal with short-term prisoners and not even account for the release point for long-term prisoners. That will undermine our justice system and sentencing and throw victims under a bus. Does the cabinet secretary concede that she is abandoning her justice commitments in favour of a panicked response to the Government's long-term failures?

Finally, given that only 2 per cent of victims were notified during the previous panicked response to overcrowding by the Government, what figure for victim notifications does the cabinet secretary believe would represent success when the new scheme comes into play?

Angela Constance: I welcome Liam Kerr to his new role, and I look forward to working with him in a constructive, serious and considered manner. He has never worked with me before, but I assure him that I have little appetite for posturing, pedantry or ideological narratives that deny the rationale of following the evidence about what will work to make our communities safer.

I also say to Mr Kerr that working at pace is not the same as being panicked. I have made several statements to the Parliament, and I am happy to share them with him so that he can get up to speed in returning to his justice brief. Over that time, I have outlined a range of short-term, medium-term and longer-term measures.

Mr Kerr will recall that his previous UK Conservative Government, in a somewhat secretive fashion, released 10,000 prisoners between October 2023 and July this year. I have been utterly up front, because it is not in my DNA to be panicked, and because, as justice secretary, I am absolutely determined to see these measures through in order to reform our justice system. Yes, that means reforming our prison system, but we have to remember that that is essential if we are going to meet our ambition of putting victims at the very heart of the system.

On long-term prisoners, the consultation made clear the rationale in relation to community safety for people to spend longer under robust community sentencing.

If Mr Kerr wishes, and if it is helpful to do so, I will provide an overview of all our plans in that area.

Katy Clark (West Scotland) (Lab): We welcome the announcement of regulations to enable GPS technology for home detention curfew, but regulations have been in place for a number of years to allow GPS when an accused is on bail and the systems are still not in place to enable that to happen. Has the cabinet secretary now given instructions for the private company to carry out the work that is needed for GPS to be used, which we have for some time been calling for?

We welcome the extra £14 million for community justice, but the Criminal Justice Committee was told yesterday that that covers only the effect of inflation.

We now know that only five victims were informed in relation to the 477 releases over the summer, and the reoffending rate was 12 per cent. When the cabinet secretary announced the early release scheme, I asked her to exclude violent offenders, given the lack of appropriate systems of support and planning, the lack of victim notification and the higher risk from that particular group of prisoners. What lessons has she learned, and what consideration is she giving to prioritising offenders who have been convicted of non-violent offences?

Angela Constance: I very much welcome Ms Clark's support for and endorsement of the use of home detention curfew. We have made considerable progress in the planning work that is necessary for that and we are engaging closely with the contracting company that will deliver the technology. There are also operational aspects for the Scottish Prison Service to address.

As Ms Clark is aware, there are particular advantages to using GPS. We want to learn lessons from south of the border; for example, we will not be tethering people to the wall so that they can charge their tag—that is one vital lesson. There is considerable value in piloting GPS in the context of home detention curfew before rolling it out to other facilities and modes of supervision. Our use of electronic monitoring continues to increase, with more than 2,000 people being monitored across all orders.

On the important point about victim notification, which Mr Kerr also raised, I make it clear that I will work closely with victims and victim support organisations on the prisoner bill. We must ensure that our justice system, including the use of imprisonment, delivers first and foremost for victims of crime, as well as in regard to rehabilitation to prevent further harm, which is, of course, in victims' interests.

I share Ms Clark's disappointment that the number of people who were formally notified through the victim notification scheme was low. I remain committed to increasing awareness of the scheme and to doing everything that I can, in partnership with VSOs, to increase registration. I draw members' attention to the fact that the Minister for Victims and Community Safety published yesterday our response on how we can make important improvements to victim notification schemes. We will use the Victims, Witnesses, and Justice Reform (Scotland) Bill as a vehicle to do that.

The Deputy Presiding Officer: I have 10 colleagues who wish to ask a question, and we now have less than 13 minutes. The questions will need to be briefer, as will the cabinet secretary's responses.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): Under the proposals that have been outlined, the number that is to be released early is relatively small compared with the overall prison population. Is the cabinet secretary confident that this can make a long-term difference?

Angela Constance: I have wrestled with that issue. It was important to consider the measure in the round with other measures. I am confident that the numbers are high enough to make a difference—there is an anticipated reduction of between 260 and 390 prisoners—but it is not a step that must be taken on its own. It is a significant enough step in its own right, but it must be combined with other actions. The number could have been higher, but I have decided that, in the legislation that I will introduce in Parliament, statutory exclusions should be made for those who are serving sentences for domestic abuse and sexual offences. I hope that that is the right balance.

Sharon Dowey (South Scotland) (Con): The SNP Government has so far failed to get to grips with the rising and overwhelming prison population. Meanwhile, community justice, which would deal with offenders without putting further pressure on prisons, is also being failed by the SNP. Justice social work needs more funding and more resources to deal with work demands and increasingly complex case loads, but the Government's spending priorities are not fully in line with its announced objectives. If the Scottish Government is serious about using community sentencing to alleviate pressure on the prison population, can the cabinet secretary confirm that the required funding will be directed towards it?

Angela Constance: I look forward to Ms Dowey's amendments as we go through the budget process, and I look forward to her continuing to advocate for additional resources for our prison estate and for criminal justice social work. I am proud that it was this former criminal justice social worker who delivered a substantial increase in the resources that are available to our community justice services. I am also proud that recent statistics show that the number of community criminal justice social workers has increased.

It is unfortunate that Ms Dowey does not remember the austerity and harm that were inflicted by her Government, not least in terms of capital budgets. I am glad that she has repented,

and I look forward to her full support during the budget process.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): Can the cabinet secretary say more about how the Scottish Government will ensure that victims and organisations that represent victims are consulted on the proposed legislation? How will victims and their families be informed of the release of prisoners, if and when that happens?

Angela Constance: I know that changes to release processes can be really upsetting and distressing for victims. Clear and accurate information for victims is essential so that they understand whether and how the prisoner in their case might be impacted by such changes.

I will work closely with victim support organisations to ensure that clear information is available to them. I will continue to do so when the legislation is introduced and—subject to agreement by Parliament—ahead of any changes being made. I am pleased to say that information is also available through the Scottish Government website, which sets out my proposals and the rights that victims have to access information about their case.

Pauline McNeill (Glasgow) (Lab): Cabinet secretary, you have announced a substantial change in prison policy with the release of short-term prisoners who are 40 per cent into their sentence. I am sure that you will agree—

The Deputy Presiding Officer: Speak through the chair.

Pauline McNeill: —that that will concern victims unless it is addressed by Government investment in relation to reoffending rates. Fifty-seven out of the 477 prisoners who were released early in the summer are back in jail. What can the cabinet secretary say about whether further investment is to be made to ensure that the policy will not result in further reoffending cycles?

Angela Constance: It is important to recognise that, generally and globally, reconviction rates in Scotland are among the lowest that they have been, although I accept that no level of reoffending is acceptable in any shape or form. The return rate from the early emergency release that was undertaken over the summer was 12 per cent. That is significantly lower than comparable rates of the return to custody of short-term prisoners.

It is an important issue. Investment in the Scottish Government's public services, both overall and in justice, will in large part depend on the Chancellor of the Exchequer's forthcoming statements. Again, I look forward to cross-party support for our justice budget in the weeks and months to come.

Clare Haughey (Rutherglen) (SNP): Prisoners on remand make up around a quarter of the prison population, which seems an unacceptable level. Will the cabinet secretary expand on the steps that have been taken to improve alternatives to custody for those who are waiting to go to court?

Angela Constance: I very much agree that the remand population is too high. I believe that that is the consensus of opinion across the chamber.

As I said in my statement, the remand population makes up 27 per cent of the prison population, which equates to 2,247 prisoners. The consistent provision of alternatives to remand is absolutely critical, and we are working hard with partners to increase the availability, consistency and effectiveness of those alternatives. Bail supervision is available in every local authority and there is good investment in it and in electronic monitoring. We will build on that as we go forward with the new third sector contract for throughcare.

Maggie Chapman (North East Scotland) (Green): I have previously raised the important issue of post-release support for people, given the heightened risk of death by suicide and substance misuse following release. Is the cabinet secretary of the view that community justice services, mental health services and broader community support organisations have sufficient skilled staff and the required resources to ensure that, with the earlier release point for short-term prisoners, they can properly support the latter and the communities that receive them?

Angela Constance: Ms Chapman is quite correct to raise the risks of any period of transition for any individual. Those of us who have lost a client due to suicide or drug death know the impact of that, not least on their family. As she will know, it is imperative that all long-term prisoners be subject to statutory supervision and that voluntary aftercare be available to those who are released from short-term periods of custody. That also speaks to the importance of third sector support, which is why we are launching a new third sector contract for throughcare services next year.

Jackie Dunbar (Aberdeen Donside) (SNP): I thank the cabinet secretary for her statement. She stated that the average length of prison sentences has increased by 32 per cent. Does that increase apply to long-term sentences or has there been an increase in short-term sentences, including in those of under one year?

Angela Constance: We have established that an increase in the length of sentences is taking place across pretty much all sentenced prisoner groups. That is not the only pressure, but it is one of the reasons why the population is increasing.

With the introduction of the presumption against short sentences—an action that was recently emulated south of the border—there has been a reduction in the proportion of sentences issued of under a year. However, the proportion still remains high. We still have hearts and minds to win, and the evidence takes us to the fact that alternatives to custody reduce the risk of reoffending.

Willie Rennie (North East Fife) (LD): I agree with that. As a Liberal, I believe that alternatives to prison are far more effective, not just because the prisons are full, but because we have had, of necessity, a series of short-term emergency measures. The cabinet secretary referred to further longer-term measures. What are those measures and by when will they be implemented?

Angela Constance: I reassure Mr Rennie that I am in this for the long haul. I will see prison reform through. Although reform of the Prison Service is also vital for the sake of those in our care and for the staff who diligently put themselves on the front line for us, I fundamentally believe that reform is necessary to achieve and maintain even safer communities. Having safer communities and supporting victims are not mutually exclusive if we have a well-functioning, efficient and effective prison service. I will see that reform through, and I look forward to the challenge to the Government that will no doubt come from Mr Rennie.

We have platforms of reform to build on, including the presumption against short-term sentences and the work that we have done on community payback orders, electronic monitoring and bail and release. I include the Children (Care and Justice) (Scotland) Bill, which I am pleased to say that Mr Rennie and the Liberals supported, unlike some others in the chamber.

The Deputy Presiding Officer: We have two colleagues still to go. We will get them both in if the questions and responses are brief.

Maurice Golden (North East Scotland) (Con): I appreciate that there is a limited deployment of millennium-era technology to monitor individuals in the community, but what consideration has been given to the use of artificial intelligence to monitor not only location but health, wellbeing and mental health and to support learning and skills development?

Angela Constance: Mr Golden raises a good point—there are technological solutions to not only the supervision of offenders but access to learning. Indeed, in relation to some of the reforms that have taken place within the prison system, dare I mention in-cell telephony? In time, that could be used to facilitate more digital learning and digital support for prisoners.

Kevin Stewart (Aberdeen Central) (SNP): It is clear that longer-term measures and thinking are needed to tackle why we have such a high prison population compared with many other countries. Does the cabinet secretary believe that the penal review that she is to establish will be able to recommend changes that Parliament can agree to?

Angela Constance: Yes, I am very hopeful that that will happen. I agree about the importance of long-term strategic thinking on the issue and of us all having the courage of our convictions—and the courage to follow the evidence about what works. What will make our communities safer at the end of the day is evidence-led policies and interventions, not politically inspired rhetoric.

The independent review of sentencing and penal policy will provide a further opportunity not to repeat but to build on the work of previous commissions. In particular, it will look at the existing barriers that are in the way of our motoring on with the reform of not just our prison system but our wider criminal justice system, all of which is crucial if we are to achieve our ambition of putting victims at the very heart of our justice system.

The Deputy Presiding Officer: Thank you. There will be a brief pause to allow front-bench members to change seats before we move to the next item of business.

Prosecution Guidance on Public Safety and Prison Population

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by the Rt Hon Dorothy Bain KC on prosecution guidance on public safety and prison population. The Lord Advocate will take questions at the end of her statement, so there should be no interventions or interruptions.

14:58

The Lord Advocate (Dorothy Bain KC): I am grateful for the opportunity to address members in the chamber. Members have heard from the cabinet secretary that the prison estate in Scotland may imminently be beyond capacity. I understand that this is causing extraordinary pressure on staff as prisoner occupancy exceeds capacity in cells, undermining attempts to rehabilitate and reduce the danger posed by individuals, and presenting the risk that the prisons cannot take individuals into their custody.

It is not for prosecutors to resolve the pressure on the prison estate and prosecutors are ordinarily entitled to assume that there is sufficient safe capacity within the prison estate. However, I have been asked what steps prosecutors, acting on my behalf, could take to alleviate some of the current pressures. I have concluded that it is possible and appropriate for me, acting independently and in the public interest, to provide further guidance to prosecutors, while others implement longer-term steps to address the situation. The measures that I propose are temporary and will be kept under review.

Before setting out those measures, there are some matters that I must make clear. First, there will be no change to the current vigorous approach to the prosecution of domestic abuse and serious sexual offending. To address the societal problem of violence against women and girls, it is essential that victims and the wider public understand that their allegations will be taken seriously.

Secondly, I cannot say what the effect of the measures that I will outline might be on the number of additional prison spaces that might be created. That would be entirely speculative. Nor can I say whether any persons who are granted liberty as a result might reoffend, as that is similarly unpredictable.

Thirdly, I am satisfied that prosecutors have been approaching the issue of whether to oppose bail on a consistent basis, in accordance with law and in the public interest.

The measures that I have introduced are intended to impact people in three situations. First, there are those who are held on remand, whose status might change on further review or through resolution. Secondly, there are those who might be liable to be remanded due to repeat offending or failing to appear but who do not seem to represent an immediate risk to the public. Thirdly, we wish to prevent some offenders from reaching the stage at which remand becomes necessary at all.

In relation to those who are already on remand, initial decisions on bail are frequently made to short timescales, based on relatively limited information and without the immediate option of special conditions such as electronic monitoring or bail supervision. Bail reviews, which are based on slower-time social work assessments of the suitability of an individual for such conditions, may provide a means to reduce the remand population. Such reviews cannot be initiated by prosecutors. They must be initiated on behalf of the accused, but prosecutors will endeavour to facilitate that process if approached, and may highlight potentially relevant cases for review to defence solicitors and local authorities. The grant of bail will remain a matter for the court.

In relation to resolution, prosecutors must take steps to progress and resolve cases efficiently and swiftly. The requirement for and value of early and firm decision making cannot be overstated. I have made it clear to prosecutors at all levels that effective early engagement with the defence is expected in all remand cases. We will build on the success of the summary case management pilot, which has shown a significant increase in the number of early disposals. We will work with our colleagues in the criminal defence bar to proactively resolve cases earlier and reduce the time that accused persons may spend on remand.

Judges make decisions about whether bail is granted for those who are liable to be remanded. The prosecutor's role is to assist their decisions by highlighting risks based on information about the accused and the offence. Prosecutors start from the position that a person accused of crime should not be remanded in custody pending trial unless there are good reasons in law and the public interest to deprive them of their liberty.

Bail will continue to be opposed where there is evidence to suggest that the accused represents a substantial risk of causing harm to the public or to victims and witnesses, and where that risk cannot be mitigated by the imposition of bail conditions. When the issue of bail is first considered, prosecutors will highlight cases in which they consider that the options of electronic monitoring or other means of monitoring special conditions of bail may manage the risk to public safety and prevent reoffending. Where individuals do not represent a risk to members of the public or to

specific individuals, my instruction to prosecutors is that bail should not normally be opposed. Where such offenders are not remanded in custody, there might be concerns about reoffending. However, bail conditions will still be considered where they are likely to reduce the risk of reoffending and, when such individuals offend while on bail or breach special conditions of bail, those offences will be prosecuted.

In addition, as a short-term measure, pre-conviction warrants should not normally be obtained and executed by the police unless there is no immediate alternative to secure the accused's attendance or the accused represents an immediate risk to others. Where attempts to secure the accused's attendance other than through the immediate execution of a warrant are unsuccessful, prosecutors may require the warrant to be executed.

People who are accused of crime must know that they cannot evade justice simply by not turning up at court without good reason and without consequence. In addition to prosecuting individuals for any offence of failing to attend, officials are currently considering how we can more readily proceed with trials in absence.

I repeat that the existing approach to the initial grant of bail or after failure to appear will not change in relation to allegations of domestic abuse or sexual violence.

Thirdly, I turn to early intervention. Lower-level offending can quickly escalate to repeat offending, successive prosecutions and, often, remand and imprisonment. There are three ways in which that is being addressed.

First, the consistent use of prosecutorial direct measures, along with my new guidance to the police on direct measures, may help to slow down such escalation.

Secondly, escalated offending is a particular risk where the offender has an identifiable need that remains unaddressed. Prosecutors already make extensive use of diversion where there is an identifiable need that can be addressed through an available programme. I have reiterated my support for that approach, but it is, of course, dependent on the necessary programmes being available to address such needs.

Thirdly, we continue to improve the information that is received from the police to ensure that we secure the right outcomes for the right people. As an example, we now receive additional information from the police regarding mental health issues that may be relevant to the accused's offending and personal wellbeing so that we can take informed views on decisions about whether to prosecute or to oppose bail.

As Lord Advocate, my duty is to uphold the rule of law and to see that those who commit crimes are held accountable. No one is more determined than I am to ensure that people who need to be in prison are kept there.

However, I recognise that prisons that are full beyond their capacity will not deliver justice or public safety. The steps that I have set out today, which are being taken independently and in the public interest, will continue to serve to keep people safe. They will not change our robust approach to domestic abuse to protect women and children from the damage of domestic abuse, nor will there be any diminution in our approach to rape and serious sexual offences. They will serve to deliver a thoughtful and proportionate response to the current pressures.

The Deputy Presiding Officer: The Lord Advocate will now take questions on the issues raised in her statement. I intend to allow up to 20 minutes for questions, after which we will need to move on to the next item of business.

Liam Kerr (North East Scotland) (Con): I am grateful to the Lord Advocate for providing advance sight of her statement.

Today, the public hoped for clarity on what would change in prosecution policy in response to our ballooning prison population. The Lord Advocate seems to want to make it harder to oppose bail and divert more offenders from prosecution in the first place, but there is little clarity. The Lord Advocate said that, although it is not her job to resolve prison pressures, her aim with today's measures is to do just that. She then said that she cannot say what the effect of those measures will be on prison spaces. What, then, is the evidential foundation for those specific measures being put in place?

Secondly, we have just heard about the Government's failure to prioritise and notify victims. The Lord Advocate states that it is "unpredictable" whether those who are granted liberty may reoffend. However, given that we know that interventions can be effective, has she worked with the Government on the reforms to ensure that those interventions are in place and are funded, or is she implementing today's measures in a vacuum?

Finally, the Lord Advocate conceded that she has taken the action that she has taken in response to the full prisons. In other words, she would not have taken it of her own volition, so it is a less preferable course of action. How does that fact square with her statement that there will be no reduction in keeping the public safe?

The Lord Advocate: There were a number of questions there. I know that we are limited for

time, but perhaps I can deal with some aspects of what I have just been asked.

As Lord Advocate, no one is more determined than I am to ensure that people who need to be in prison are kept there. It cannot be that we reach a stage where serious offenders are sentenced or remanded and there is nowhere for them to go because the space in prison is taken up by individuals who do not present an immediate risk to the public.

Ensuring that communities are safe from the harm caused by crime is at the centre what prosecutors do. The temporary measure that I have explained shifts the focus to how best that safety can be achieved. As I emphasised in my statement, the temporary measures will not change the response to allegations of domestic abuse or sexual offences. The temporary guidance is intended to mitigate the current pressure on prisons and will be reviewed. I take my responsibility very seriously and a fundamental part of my role is to serve the public interest and assist in the protection of the rule of law.

In relation to the question about my role and my engagement with the Government of the day, I say that the Scottish Government has legislated for a new test for bail that focuses primarily on the risks posed to the public and to the complainer. That new legal test will come into force on 1 February. In the meantime, the existing test is set down by statutory provision in the Criminal Procedure (Scotland) Act 1995 and provides for an accused person to be remanded only when the legal test is met and when it is in the public interest to do so. Prosecutors are entitled to take into account the public interest in maintaining a safe prison estate when determining the Crown's attitude to bail. It is critically important that it is understood that we are talking today about prisoners who have not been convicted and about pre-trial measures that relate to bail and remand.

Pauline McNeill (Glasgow) (Lab): I welcome the Lord Advocate's statement that the prosecution policy on violence against women and girls and on domestic violence will be as robust as it has been until now.

The Lord Advocate spoke about

"those who are held on remand, whose status may change on further review or through resolution".

Will she elaborate on what that means?

One vital aspect of the criminal justice system is that summary justice is, indeed, summary, so it would be helpful to have some understanding of the success of the pilot. The Lord Advocate has said that the Crown will work proactively with the Scottish Solicitors Bar Association to resolve cases earlier. Will she indicate to Parliament which of the current barriers could be changed to ensure that summary justice is, indeed, summary?

The Lord Advocate: The summary justice pilot is a big issue and involves complex considerations. I would be more than happy to talk to Ms McNeill after today about the success of the summary justice pilot and about what we are doing to progress that across the whole of Scotland, and to share with her the enormous benefits that have come from that pilot, by reason of close judicial management of cases, early engagement between Crown and defence and early provision of evidence in each case, and to share with her the benefits for all involved that came from prosecutors' early engagement with victims of crime. A combination of those factors has led to the enormous success of the summary justice pilot and I very much hope to see those factors, including the excellent judicial management of cases that we have seen in places such as Dundee, bearing more of the fruit that we have seen. I can talk about that with Ms McNeill and I would be happy to share whatever information she wishes to receive.

Where possible, we work with colleagues in local authority social work teams and from the criminal defence bar to assist with bail reviews. Any review undertaken by the Crown would be to identify those who may be suitable for a review of bail, with conditions, as a short-term measure to assist with the current pressures.

Reviews take place only because of the gravity of current prison conditions. Prosecutors are not responsible for that, but we recognise that the matter is of considerable public interest. Decisions on bail are a matter for the court, but prosecutors will assist the court by providing information to help inform decisions about possible bail conditions, with public safety as the foremost consideration.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): This week, the Criminal Justice Committee discussed the temporary extension of time limits for people being held on remand that were put in place during the pandemic. Will continuing the extension increase the pace at which cases progress? Could it therefore help to reduce the number of prisoners who are remanded in custody?

The Lord Advocate: Removal of the time limits would present a serious risk that victims and witnesses may be deprived of their access to justice. If the provisions were not extended, and particularly if no saving provisions were put in place immediately, the Crown would require to make individual applications for extension of time periods for most cases that are currently in the system. That would require significant and critical resource to be diverted from preparing and

prosecuting the most serious cases in our criminal courts, and it would involve a significant amount of work by all criminal justice partners. That process would simply compound delays and undo the good work that the criminal justice system has done in progressing cases that have been impacted by the Covid pandemic. It is likely that many of the accused would remain remanded if extensions were granted by the court and, indeed, they may receive a prison sentence, so there would not be a decrease in the prison population.

I am happy to provide the member with further detail if that would be helpful.

Sharon Dowey (South Scotland) (Con): I thank the Lord Advocate for her statement, but I am struggling to see how the measures that she has announced will make a difference to the prison population. I believe that her prosecutors are already trying to use diversion from prosecution rather than sending people to jail, but the issue is with prolific crimes where a custodial sentence is the only option. As the Lord Advocate said in her statement, the necessary programmes need to be available. Has she had a conversation with the Cabinet Secretary for Justice and Home Affairs regarding the availability of the programmes and the extra funding that will be required for the criminal justice social work sector, whose workload would increase substantially?

The Lord Advocate: It is right to say that an increased volume of criminal work is coming through the system. That is not solely related to the backlogs that have been created by the Covid pandemic. There is an increase in significant criminal business coming through our system. I have been briefed regularly by both the Scottish Government and the Scottish Prison Service on the pressure on the prison population, including the impact of the Government's early release scheme, which was approved by Parliament earlier this year.

The Scottish Government has legislated for a new test for bail that focuses primarily on the risk that is posed to the public and the complainer, and that new legal test will come in in February next year. However, it is clear to me that action is required pending that legislation. I can do only so much. As Lord Advocate, I cannot change the law, but I can issue guidance on how prosecutors should apply the public interest in their decisions in relation to the area that I can influence to any degree, which relates to bail and remand. I am responsible for prosecution. Thereafter, conviction and sentence fall to the courts to administer. I can do only what I can as Lord Advocate.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): As the Lord Advocate referenced in the statement, one reason why the remand population is very high relates to concerns that people will not turn up at court. Will the Lord Advocate say a bit more about what is being done to help to ensure attendance at court and, potentially, to undertake trials in absence?

The Lord Advocate: The failure of individuals to attend court for their proceedings can be an enormous challenge for the system, particularly at the summary level in the sheriff court. Prosecutors do all that they can to ensure the attendance of the accused through engagement with criminal justice partners and the defence, but there is only so much that they can do to secure the accused's attendance through seeking warrants from the court and the execution of those warrants by the police.

When it comes to the culture of the prosecution service in Scotland, the approach has never been to proactively look at trial in the absence of the accused. However, we will have to look at that very seriously in the circumstances that we now deal with in our criminal justice system, including the pressures on the system and the pressures on the prison population. Prosecutors are looking at that very seriously. After today, if he so wishes, I can provide more information to the member about what is being done.

Katy Clark (West Scotland) (Lab): On a number of occasions, the Parliament has been persuaded to extend the time limits in criminal cases—which means that many accused spend longer on remand. With regard to the emergency provisions, is the Lord Advocate confident that such longer time limits will be required in all cases? For the longer term, how confident is she that we can reduce the length of time that individuals spend on remand? What can the prosecution services do to support that by speedily preparing cases?

The Lord Advocate: Some of what Katy Clark covered was referred to in my response to Audrey Nicoll's question. It is important to understand the significant success that the criminal prosecution service in Scotland has had, over the very recent period, in the prosecution of serious sexual crime, domestic violence and serious organised crime. From the statistics that are available, it is clear that the way in which those cases have been prosecuted, and the success of the prosecution of those cases, is one of the drivers of the increase in the prison population. However, we have to work our way through the situation as it is now.

The last thing that we want is for people to be on remand for far too long, or for cases to take longer than is needed, because of the impact on victims and on the accused who await trial. However, we require to work through where we are and to seek the extensions that are being sought through the current legislation. I hope that we will continue to make progress on the

challenges that have been faced in the Covid pandemic and in the increased level of business that is coming through the criminal justice system in Scotland.

Clare Haughey (Rutherglen) (SNP): I asked the Cabinet Secretary for Justice and Home Affairs about the high number of people being held on remand in our prisons, and I will ask the Lord Advocate a similar question: is she content that all 2,000 or so of the people who are currently being held on remand are a risk to society?

The Lord Advocate: I am satisfied that prosecutors approach the issue of whether to oppose bail on a consistent basis, in accordance with the law and in the public interest.

The current bail test does not require individuals to be a risk to society. My instruction to prosecutors is to focus on those who pose a substantial risk of reoffending and causing harm to individuals. Decisions on bail are a matter for the court. However, it is recognised that prosecutors' attitude to bail, although not determinative, can have a bearing on the court's decision on whether to detain someone in custody as they await trial.

Maggie Chapman (North East Scotland) (Green): The prevention of crime produces better outcomes for everyone, and early intervention is a crucial component of that. The Lord Advocate spoke of the use of diversion and the importance of gathering good information from the police about mental health and other issues that might be relevant to an accused's case. Is the Lord Advocate aware of specific gaps in, or barriers to, access to diversionary programmes? Similarly, are changes required to the information that police officers gather to better support prosecutors to come to an informed view when deciding whether to prosecute and whether to oppose bail?

The Lord Advocate: I am aware that recent statistics show that the number of diversion from prosecution cases that were commenced rose by 28 per cent—from 2,600 to 3,400—between 2022-23 and 2023-24. It is important to note that that is the highest number in the past 10 years. As we know, diversion from prosecution is a process by which prosecutors can refer a case to a local authority or another identified agency as a means of addressing the underlying causes of offending.

We receive information that is relevant to such decisions. Prosecutors take the decisions with care, and they are informed of a particular individual's vulnerabilities from a variety of sources, including the police. Given the situation that we are in, and the review of diversion that I am undertaking, we are considering whether the quality of the information that we receive from the police and, for example, from mental health services can be improved to inform how we deal with diversion.

Jackie Dunbar (Aberdeen Donside) (SNP): I am pleased that the Lord Advocate made it clear that changes to the guidelines will not apply to domestic abuse cases. Can she provide reassurance that that message will be effectively communicated to victims and their support agencies?

The Lord Advocate: On information for victims, we have spoken to a number of victims groups to reassure them that the temporary measures will not change our approach to cases of domestic abuse or to sexual offences. A copy of my statement and a supplementary briefing will be shared with the Parliament and victims groups and will be published on the Crown Office's external website, so that victims and the wider public can access them. We will listen to any concerns that are raised and provide an update when we review the measures in January.

I appreciate that there will be consequences to the actions that I have set out. Individuals who are not remanded for failing to appear might draw out the length of criminal proceedings in some cases, which can have an impact on witnesses. The decision was not taken lightly, but I consider it necessary and proportionate in the current circumstances.

Willie Rennie (North East Fife) (LD): Justice social workers are essential in making community justice work, given their detailed knowledge of the offender, the circumstances and the range of available custodial and non-custodial options. However, we hear that, in a significant number of cases in which social workers recommend non-custodial alternatives, the courts choose instead to impose prison sentences. Bearing in mind the independence of the judiciary, does the Lord Advocate recognise that situation? What is her response to it?

The Lord Advocate: I do not have any knowledge of the situation that Mr Rennie has raised. If he would like to raise it with me directly after today, I can meet him and talk it through. The point to be made is that decisions on bail, conviction and sentencing are, ultimately, matters for the court. In this country, our judiciary is independent, as is the prosecution service of which I am Lord Advocate. Those are separate roles. Beyond that, perhaps an open discussion with Mr Rennie on those matters would be beneficial.

The Deputy Presiding Officer: I will take the final two questions if they, and the responses, are brief.

Maurice Golden (North East Scotland) (Con): The Lord Advocate stated that she was asked to

take steps to alleviate current prison pressures. When, and by whom?

The Lord Advocate: I have been involved in discussions about the issue with a variety of sources. On the timing of the statement, as I have pointed out, I have been regularly briefed by the Scottish Government and the Scottish Prison Service about pressures relating to the prison population, including the impact of the Government's early release scheme. The chief executive of the Scottish Prison Service has been in communication with the Crown Agent about those challenges, and there have been regular meetings with relevant policy officials, the Scottish Prison Service, the Scottish Government and senior members of the Scottish prosecution service.

Over and above that, individual prosecutors have visited Barlinnie and seen for themselves, at first hand, the challenges that are faced because of the growing pressure from our prison population. It is in that context that I have been informed of the position by the Government and, separately, by the chief executive of the Scottish Prison Service.

Emma Roddick (Highlands and Islands) (SNP): Recently, there has been a 28 per cent rise in the number of diversions offered. How does that contribute to reducing the remand population while ensuring that our communities are kept safe? Are prosecutors sufficiently aware of the options that they have outwith custody?

The Lord Advocate: In order to reduce the volume of cases coming to court and to strengthen the prospects of addressing criminality at an early stage, the Crown has significantly increased its use of diversion, and it has the capacity to widen that if local authorities are able to provide diversion.

There will be no change to existing policy in relation to individuals who present a risk of reoffending and harming an individual or members of the public. However, last year, I instructed a review of how prosecutors deal with diversion from prosecution in cases of serious sexual offences, such as rape. That review, which engaged with victims, is reaching its conclusion.

We continue to monitor the use of diversion for cases involving domestic abuse, rape and attempted rape, and we continue to look at how diversion succeeds in dealing with the underlying needs of an individual who has been brought into the criminal justice system.

It is recognised that, if diversion works, it takes people out of the criminal justice system, which is a system that can make rehabilitation difficult. Diversion is a way in which we can, ultimately, make communities safer and reduce the number of people who progress through the prison estate.

Climate Change (Emissions Reduction Targets) (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-14836, in the name of Gillian Martin, on the Climate Change (Emissions Reduction Targets) (Scotland) Bill at stage 1. I invite members who wish to speak in the debate to press their request-to-speak buttons.

15:32

The Acting Cabinet Secretary for Net Zero and Energy (Gillian Martin): I am grateful for the opportunity to open today's stage 1 debate and set out the Government's reason for introducing the Climate Change (Emissions Reduction Targets) (Scotland) Bill. We have moved at pace on the legislation, so I thank colleagues from across the chamber who have engaged with me in recent weeks to understand our approach and to help me to make the progress that we need. I also thank the Net Zero, Energy and Transport Committee and the Delegated Powers and Law Reform Committee for their scrutiny of the bill to this point and for their support for the general principles of the bill.

In the Climate Change (Emissions Reduction Targets) Scotland Act 2019, the Parliament set highly ambitious emissions targets, including a reduction of 75 per cent by 2030. At that time, the independent experts at the Climate Change Committee advised us all that the target was beyond their recommendations and would require extraordinary effort to achieve. We all regret that it has not been possible to find a policy pathway to meet that target and that, in March, the Climate Change Committee advised us that the 2030 target was beyond what could be achieved. The urgency of the legislation is driven by its expert advice. Maintaining our current targets would leave us in the unsustainable position of having targets that we know that we cannot meet and being therefore unable to bring forward a credible climate change plan that can meet our targets.

Sarah Boyack (Lothian) (Lab): Although those targets were ambitious, were there suggestions from the Climate Change Committee for how we could meet them?

Gillian Martin: Of course, there were many such suggestions from the Climate Change Committee. I remember one of them clearly, as it had a bearing on the area that I represent. The committee said that carbon capture, utilisation and storage was a fundamental action that would have to happen for our climate change targets to be met. It is of great regret to me that track status has not been given to the Acorn project and the Scottish cluster, which would probably have taken us further along the line than we are now.

Douglas Lumsden (North East Scotland) (Con): Will the cabinet secretary take an intervention?

Gillian Martin: I will make some headway; I will take an intervention from Mr Lumsden at some point.

To those who would argue that we could make it to 75 per cent reductions by 2030, I must strongly state that the scale, range and pace of action would be unjust and unrealistic, and could damage households and our communities in many ways. We must therefore have the courage to accept that, although our ambition was laudable, those targets are unrealistic, and we must find a better way forward that enables us to meet net zero by 2045 and that takes the whole of Scotland with us. We all share that ambition, which I know has led to a real change in the way that climate action is viewed across Government and local government and in wider society. The Government is clear that we must reach a just and fair net zero, and that doing so involves taking a different path: the path that is set out in the bill.

We have learned a great deal since the 2019 act about how our targets system operates and how it might work better. The bill addresses that learning and moves us from linear annual targets to a system of five-year carbon budgets. That is a major and much-needed change in approach. The system introduced through the bill will set a limit on the amount of greenhouse gases emitted in Scotland over a five-year period.

The expert advice of the Climate Change Committee is that those carbon budgets better reflect Scotland's long-term decarbonisation journey, smoothing out the volatility of annual emissions. In contrast, the rigid system of annual targets struggles to account for in-year fluctuations such as harsher winters, or indeed for unexpected global crises such as the Covid-19 pandemic. We also have been learning about the use of carbon budgets in Wales and Northern Ireland as well as further afield. The bill will allow such targets to be set by regulations after we receive Climate Change Committee advice on levels, and it will align our climate change plan timeline with the new system.

I am glad that the Net Zero, Energy and Transport Committee agrees that our new targets framework offers a better and more flexible system for emissions reduction targets than the current approach. The budgets, which are based on the advice of experts, represent our best path towards net zero. As the Parliament is aware, the CCC advice is next expected in spring 2025. From

there, we will finalise and publish our draft climate change plan, and I have committed to try to do that by the summer recess next year, if the advice from the CCC is received at the right time. If it is not, I can assure members that we will publish the draft plan as soon as possible, even if that ends up being in recess.

I inform members that, when the CCC advice is received, I will host a round table for my counterparts across the parties that are represented in the Parliament to hear their views directly. It is essential that we work together on behalf of Scotland to decide on the action that we need to take to reach any targets that the Parliament sets.

The bill's provisions are strictly limited to those that are necessary to develop a carbon budget framework and to enable the next climate change plan to reflect our carbon budgets. We remain steadfast in our statutory goal of achieving net zero by 2045 and in our statutory requirements on annual reporting on emissions and progress.

To be clear, I point out that, while we move from annual targets to five-year carbon budgets, we will maintain an annual reporting cycle. That will include updates on our emissions levels and reviewing the progress of our climate change plan, including developments in each sector of the plan. At the end of each carbon budget period, those reports will state whether Scotland's carbon budget target for the period has been met. In addition, I can assure colleagues that the existing statutory duties relating to the climate change plan, including the costing of policies, will remain under the bill, and we will continue the approach of not allowing carry over between targets.

We can see from our recent UK-leading achievements in afforestation and the provision of electric charging points, which are at the highest levels in the United Kingdom outside of London, that Scotland continues to lead the way in the journey to net zero. Under this Government, taking resolute action on net zero will not change. Carbon budgets will reinforce our momentum, with an underpinning of credible targets. They will support the Government and our many partners in Scotland's decarbonisation journey in achieving our continued aims and actions.

Scotland continues to be at the forefront of climate action. I truly believe that the people of Scotland share a drive to achieve net zero ambitions and to protect future generations. We have already taken great strides in decarbonisation, from the rise of renewables in our energy sector—with renewable electricity capacity having grown from 6.7GW in 2013 to 15.6GW in 2024—to the provision of concessionary bus travel, which benefits nearly half the population, and carbon sequestration through peatland restoration and tree planting. We need to go a lot further, however—and we know that.

The next steps will not be easy, and there are difficult choices that we must address collectively. Let us not forget that, thanks to the progress that we have already made, Scotland is already halfway to net zero and continues to be ahead of the UK in delivering long-term emissions reductions. It remains the case that there are infrastructural and reserved policy choices that must also be made by the UK Government to assist devolved nations in their net zero journey, not least in heat decarbonisation and carbon capture and storage.

Douglas Lumsden: I go back to the point that the cabinet secretary made about carbon capture, utilisation and storage. Is she really trying to tell us that, if the Acorn project had been given the go-ahead, we would have been able to meet our 75 per cent target, and that we would have had a climate change plan before us already?

Gillian Martin: As Mr Lumsden knows, carbon capture and storage has been developed in the north-east over many years, and funding has been taken away from it by subsequent Conservative Governments. I am not entirely sure that the Acorn project could have been up and running and capturing carbon by 2030, but we would have known that the project would have been in train. Given that it is one of the most mature propositions for carbon capture and storage and that Storegga has been working on it for some time, I think that it was the most ready to go out of all the CCUS projects across the UK. In his heart of hearts, I think that Mr Lumsden agrees with me.

It is clear from the Government's engagement over the summer and the NZET Committee's evidence sessions on the bill that there is consensus from stakeholders, communities, experts and MSPs. We need to move fast to ensure that Scotland has credible targets and a credible climate change plan as soon as possible. The bill is the first essential step in that process. It will set us on a new path, while ensuring that our system is solid and credible. I urge members to support its passage through stage 1 and beyond.

I move,

That the Parliament agrees to the general principles of the Climate Change (Emissions Reduction Targets) (Scotland) Bill.

The Deputy Presiding Officer: I call Edward Mountain to speak on behalf of the Net Zero, Energy and Transport Committee.

15:42

Edward Mountain (Highlands and Islands) (Con): I am pleased to speak on behalf of the Net

Zero, Energy and Transport Committee. In April this year, the Scottish Government announced new legislation to repeal a statutory net zero target that it accepted that it could not meet. With that, it announced a new approach to setting out and monitoring emissions reduction targets, in the form of five-year carbon budgets. The committee stood ready to consider the bill, but there was an unacceptable delay, because the bill was not introduced until 5 September. I accept that the bill is narrowly drawn, but it is technically quite complex. The short time that was available for scrutiny should, and could, have been avoided.

I place on record my thanks to committee members and all the clerks for their work to secure evidence from as many experts as we could and for giving the Parliament some food for thought in our stage 1 report. The report also uses the responses to our pre-legislative call for views during the summer. I thank members of the Delegated Powers and Law Reform Committee and the Finance and Public Administration Committee for their work on the bill. I am extremely grateful, as is the NZET Committee, to all those who gave evidence, and especially to those who attended our meetings, often with little and sometimes no notice.

The catalyst for the bill is the Scottish Government's recognition that the 2030 net zero targets cannot now be met. That is a matter of regret. In removing those targets, the bill will sweep away all other percentage-based annual targets. There are some drawbacks to that, as they provided clear and accessible ways of communicating ambition and progress to the public.

However, we heard that there are benefits from switching to carbon budgeting, which provides a more flexible approach to setting emissions reduction targets. We largely welcome the way in which that has been delivered in the bill, including the retention of an advisory role for the independent Climate Change Committee. However, given that the 75 per cent and 90 per cent interim targets remain important milestones on the path to net zero, to lose them completely feels as though we are going backwards.

We recommended having those targets translated, as it were, into the new system, with a revised schedule for hitting them. I note what looks to be a cautious acceptance of that proposal in the acting cabinet secretary's response to our report.

The timing and sequencing of key events under the new system was a major theme of our evidence taking. In our report, we tried to balance two important considerations—urgency and scrutiny. We all agreed on the pressing need for a new climate change plan to get our net zero progress back on track. However, speed must not come at the expense of parliamentary consideration and, with it, the chance to hear from stakeholders and the wider public.

We suggest that the solution is for the Parliament to be able to consider the proposed carbon budgets and draft climate change plan at the same time, which takes into account the fundamental interconnectedness of targets and plans. The acting cabinet secretary's response on that recommendation is equivocal, but I welcome her commitment to provide the Parliament with more information about how the proposed carbon budgets target fits into the net zero pathway, to help us to make an informed choice when we consider the regulations.

Another issue that we discussed was whether Scottish carbon budgets should align with UK carbon budgets, which are also for five years. Alignment seems neater, and it may enable more effective cross-Government working. There was a question, however, as to whether it would slow us down if we were to wait for the UK carbon budget in 2027 before setting a carbon budget ourselves. The committee could not reach a common position on alignment, but we agreed that the discussion should continue, and we asked the Scottish Government to show more of its working on why it had come down against UK alignment. The acting cabinet secretary has responded, and we can reflect further on that issue as we go forward to stage 2. I look forward to being personally convinced that her proposals are the right ones.

The bill does not touch directly on the content of climate change plans. However, stage 1 was an opportunity to take stock on the issue, and the need for more detail and more flesh on the bones was a recurring theme in our evidence. We heard that plans should set out estimates for the actual emissions reductions that are envisaged from specific policies and proposals. We recommended that the Scottish Government should work with the Scottish Fiscal Commission on the information on costs and benefits that is to be provided in the climate change plans. The Government must provide more robust information on costing, which links back to the Scottish budget, as Parliament needs to be able to assess whether the Government has put in the money to match its ambitions.

Another issue that we considered concerned section 36 reports in the context of the new carbon budgeting system. Those reports are triggered when the Scottish Government needs to take corrective action in relation to missed targets. We did not think that it was right that only one report could be triggered during the five-year lifetime of a carbon budget—that felt too infrequent. It looks, from the acting cabinet secretary's response, that she is in part agreement on that and accepts the

need for more clarity on the trigger point under the new approach and on how early that should happen. We will wait and see what emerges at stage 2.

I turn to the policy memorandum and the financial memorandum. They were short on detail—indeed, they were just short. The Government's view is that the bill is a technical bill that does not change the destination—namely, to reach net zero by 2045—and that the bill changes only how we measure how we are getting there. I get that argument, but I put it on the record that there needs to be consideration of the cost to and impact on people who are now having to push harder and faster to keep the 2045 goal in sight. I also note that the Finance and Public Administration Committee felt that there is a general issue with the level of detail in financial memorandums, and this is one example.

To sum up, the Net Zero, Energy and Transport Committee recommends that Parliament should agree to the general principles of the bill at stage 1, but it is also a time for some reflection and indeed regret. If we pass the bill, we will say goodbye to a 2030 target that experts told us was tough but achievable. Action has not kept pace with ambition, and the Scottish Government must therefore now take back the initiative and focus on the nuts and bolts of net zero delivery through the bill.

The Deputy Presiding Officer: I call Douglas Lumsden to open on behalf of the Scottish Conservatives.

15:49

Douglas Lumsden (North East Scotland) (Con): I thank the convener of the Net Zero, Energy and Transport Committee for keeping all committee members together during the production of the report. I especially thank the clerks for this excellent report, which was turned around quickly to give us the opportunity to discuss it today.

The committee has taken as much time as possible to consider the legislation, but I think that we all agree that more time is required to discuss this important issue. We also need to reflect on why we are here today.

We know that the Scottish Government has failed to meet its climate change targets, to address the challenges that we are facing and to set out a clear plan on how, together, we can achieve net zero. The committee pulls no punches in its remarks on the matter, stating that action so far on reaching our ambitious climate change emissions reduction targets "has been inadequate"; that the pace that has been forced on the parliamentary process of the legislation is "unsatisfactory"; and that we have done our best to listen to as wide a cross-section as we can in the time that was given to us.

Parliamentary scrutiny should not be the loser in the Scottish National Party Government's mismanagement of our climate change goals. I understand that the Scottish Government is keen to be seen to be doing something quickly on the matter, but that does not mean that it can charge ahead unchecked and without the adequate scrutiny and assistance from experts. The issue is too important, too big and too vital—its significance is too great—to rush through without adequate thought or thorough examination.

I will focus my remarks on three key areas that have been highlighted by the committee. The first is an issue that was raised repeatedly with the committee during our deliberations. Many of those who gave their time to respond to the committee mentioned the importance of alignment between what is happening here and what is happening in Westminster. It is concerning that there is nothing in the policy memorandum on alignment, and I ask the cabinet secretary to clarify, if she can, why that is the case.

The committee has made very clear recommendations on the matter and asks that the Government sets out its thinking on alignment with the UK carbon budgets, what evidence it gathered and whether alignment would delay the Scottish Government's working on new and improved plans to deliver net zero.

I welcome the Scottish Government response to the committee report, including its detailed response on that question. It would be helpful if the committee could look at the matter again in light of that response. I remain concerned about the lack of alignment, but I am happy to take additional time to consider the question as part of the bill process.

Gillian Martin: I gave comprehensive reasoning for that. If there is any information that you need that you believe is not in the response, you need only ask. There are pros and cons of both approaches—we fully agree on that. We have landed on the five-year carbon budget, starting from next year, for good reason. However, if there is anything else that Mr Lumsden needs to know, he should let me know.

The Deputy Presiding Officer: Always speak through the chair.

Douglas Lumsden: I note that I welcomed the cabinet secretary's response, but it would have been good to have had that clarity prior to our working on our report and gathering evidence, so that we could hear the thoughts of other stakeholders on the Scottish Government's thinking.

Monica Lennon (Central Scotland) (Lab): Will the member take an intervention?

Douglas Lumsden: I will.

The Deputy Presiding Officer: I advise members that we have some time in hand.

Monica Lennon: I am grateful to Douglas Lumsden, a fellow member of the committee.

On the point about alignment, it is fair to say that the committee struggled with some of the evidence, because we did not get strong views one way or the other. The CCC would prefer Scottish and UK carbon budgets to align, but it also said that it could "work either way". As well as hearing more of the Government's analysis, does Douglas Lumsden agree that it would be good for the committee to take more external advice on that at stage 2?

Douglas Lumsden: Absolutely. It is good that we have heard a view from the Scottish Government, but it would have been good to hear the thoughts of members of other organisations on that view when speaking to them in committee.

The second key issue is reporting. It is regrettable that the bill will permit only one section 36 report to be published at the end of each five-year carbon budget period. Such an important issue requires careful monitoring and reporting, and there should be much more opportunity for that in the bill. It is vitally important to the future of Scotland for us to get this right, and I know that the committee is committed to working with the Government to ensure that the bill achieves what we all want it to achieve.

I note the cabinet secretary's response on the issue of the section 36 report and the lack of a trigger point in the five-year period. I hope that, as the bill progresses, a statutory solution can be found.

Another issue is the financial memorandum. Like most financial memoranda from this devolved Government, it is weak. Again, it seems that we will be asked to sign up to legislation with no real idea of its overall cost. Having scrutinised the bill's financial memorandum, the Finance and Public Administration Committee highlighted its previous advice, and asked whether all costs or benefits, except those of a genuinely marginal nature, have been quantified, including those that are likely to arise from secondary legislation. Everyone can agree that we have seen no costs for the associated secondary legislation, and we will get that only once we are a lot further down the road. That is wrong.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Will Douglas Lumsden give way?

Douglas Lumsden: I will.

Bob Doris: I thank my fellow committee member for giving way. Does Mr Lumsden agree that, given that, when five-year carbon budgets are set, we will get 15 years' worth of them at the same time, and a 15-year climate change plan, it is not credible to have a detailed costing of spend in year 5, year 10 and year 15? Some of the technologies for reducing emissions do not even exist yet.

Douglas Lumsden: It might not have a detailed costing, but the Government should be able to give a ballpark figure on how much things will cost. As I said, we would be signing up to legislation with no real idea of what the true cost of that will be. We heard from local authorities that they are concerned about costs and about what funding will be made available to them as we ask them to change to enable the Scottish Government to meet its targets.

I am concerned that this new legislation will mean nothing if the devolved Government does not follow it up with actions. I am worried that the net zero and energy budget has been cut by £23.4 million. The Scottish Government is set to miss four of its six recycling targets and has failed to achieve its key climate target for nine out of the past 13 years. Its record is not great, and there is so much to be done.

I have to mention the much-delayed climate change plan. We should have had that a long time ago. It is shameful that the SNP Government has got itself into this situation. People are looking for clarity, including on the direction of travel—we should have had that clarity long before now. The Government needs to commit to a date on which the new plan will be released. I am fed up with the SNP Government fobbing us off when it comes to plans and strategy.

Gillian Martin: As I said in committee, we can provide clarity on when the climate change plan will be given in draft to the committee. I set out in a letter to the committee about the timeline for the CCC's advice and what that will mean in terms of a draft coming to the committee. The member already has that information and that commitment from me.

Douglas Lumsden: What I heard earlier was that the cabinet secretary would endeavour to bring forward the plan before recess next summer. I do not see that as a real commitment.

As I said, I am fed up with the SNP Government fobbing us off when it comes to plans and strategies. The energy strategy is a prime example. We have been told for months now that it is imminent, but there is still no sign of it. Maybe the cabinet secretary can intervene again—right

now—and tell us when that will be released. [*Interruption*.]

The Deputy Presiding Officer: Cabinet secretary, do you have an intervention to make?

Gillian Martin: Yes. The energy strategy and just transition plan is in its final draft and simply has to go through the Cabinet.

Douglas Lumsden: I think that we heard that last week, and maybe the week before. I am looking for an answer. We want to know the date on which the energy strategy will be published. People are looking for clarity, and we do not get that from this SNP Government.

It is vital that we get this right for Scotland and for future generations. We need a clear plan, which is measurable and achievable, for how we will achieve net zero by 2045. We need to be able to hold the Government to account when targets are missed or we fall short. We cannot rush through this process without adequate time to consider the implications and impact of legislation on our communities and businesses across Scotland. We cannot rush through actions that will have adverse effects on our rural communities. As Scottish Land & Estates says:

> "the pursuit of net-zero must not result in rural businesses and communities being negatively impacted by urban-focussed policies."

That is vital.

We have to work with our partners across the UK to ensure that our plan is aligned across the country. We cannot achieve that alone. It must be done in partnership with business, local authorities and communities across Scotland and the UK. I hope that the Scottish Government accepts the committee's recommendations and makes changes to the bill, as I think that there is a genuine will across all parties to make the legislation work for the whole of Scotland.

15:59

Sarah Boyack (Lothian) (Lab): I thank the Net Zero, Energy and Transport Committee for its excellent report and those who fed in their concerns and judgments to the committee, especially given the incredibly short timescale.

Scottish Labour will support the bill at stage 1, but we are hugely disappointed that we have ended up needing it. We have had poor environmental leadership over the 17 years of the SNP's time in Government, which has meant that we have lost the opportunity to be a world leader on climate action. Our Parliament's targets were ambitious and were celebrated for being bold, but the Scottish Government's action has not matched the ambition in either of the climate acts.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): My intervention is perfectly timed, as there is quite a lot of time left on the clock for Sarah Boyack to speak. Might you want to use that time to say what you would have done differently in the past years?

The Deputy Presiding Officer: Always speak through the chair, please.

Ben Macpherson: Sorry.

Sarah Boyack: I used to be a lecturer, so I could take at least an hour to answer Mr Macpherson. We have talked about things we would have done. We would have agreed with so many of the Climate Change Committee's recommendations about action.

We have missed nine out of 13 annual targets and the bill is being rushed through Parliament because of a failure to do the heavy lifting on the policies and their implementation. That is what I want to focus on.

One only needs to turn on the news and to see storm Milton battering the south-east of America to realise that the climate emergency is a "now" issue. We could be debating the matter any week of the year, and people would be facing another climate challenge and extreme weather in the world.

It is happening closer to home, too—record temperatures, extreme rain, sea level rises and forest fires are impacting our urban and rural communities. We need action across Scotland, and we need to address the issue now.

Gillian Martin: One action that could be taken across the whole of the UK—given that it has a 2050 target for net zero and that the Welsh and Northern Ireland Governments have targets as well—would be adjusting the electricity price so that we could use our renewable electricity to heat our homes in a way that is not punitive for householders. Does the member agree that reform is needed there?

Sarah Boyack: We need so much action, not just to ensure that the affordable electricity that we are now producing benefits communities—which could happen through community and co-operative ownership, too—but also to make our houses more energy efficient in the first place, so that people are not wasting heat and power in urban and rural communities. We should all be considering the Winser report. There is also NESO—the National Energy System Operator—the launch of which the minister was at last night. We need to do a lot of work together.

It is a "now" issue. I have appreciated working with Gillian Martin, who has shown a willingness to collaborate on the bill. However, everything cannot rely on the cabinet secretary and her colleague.

This must be a cross-Government issue: it needs all departments—transport, planning, business, housing and rural affairs. I worry that it is just seen as a climate issue, yet it cannot be just the work of the energy and climate change directorate.

Take transport, for instance. One of the Government's bold new strategies is to explore integrated ticketing—a policy from 2012. The Scottish Government aims for a 20 per cent reduction in car kilometres, but that is a goal from 2020, which still has no clear strategy.

Mark Ruskell (Mid Scotland and Fife) (Green): Will the member give way?

Sarah Boyack: No, thank you.

If the Minister for Transport was as invested in net zero as the cabinet secretary, there is no way that we would have seen the reinstatement of peak fares or the massively overcrowded and underserved train routes in Scotland.

The third highest emitting sector in Scotland is buildings, and although the UK Climate Change Committee commended plans for the heat in buildings bill—

Lorna Slater (Lothian) (Green): Will the member take an intervention?

Sarah Boyack: Well, unless the colleague who is intervening can give me a date for the bill—[*Laughter*.] I see that is Lorna Slater, who will not have the date for the heat in buildings bill.

We need detail on the timing soon; the bill is still not in front of us, which means that there is no confidence from investors and businesses who are absolutely vital. The bill will not only benefit businesses but will make our homes and public sector buildings warm, and affordable to heat and power.

There is also a need to support food, farming and land so that decarbonisation happens there as well. It is not a niche issue: it affects every day of our lives and the lives of all our constituents.

We will support the bill, but we will work on a cross-party basis to amend it. We do not agree with the Government on everything but we will work to lodge amendments that will work for us in order to increase the transparency and scrutiny that we need from the bill.

I would request from the cabinet secretary an interim update that is separate from the legal targets just to make sure that the Parliament knows what action is being taken now. The last update on action was the so-called policy package when the targets were dropped, and that was in April—by the time that we get the new climate change plan next summer, it will have been well over a year since that update.

We cannot afford to lose momentum and I hope that the cabinet secretary will commit to giving a statement between now and the climate change plan at least to let us know what actions are being taken and what outcomes are expected, to enable the whole of Parliament to engage on this issue, because we will disagree with each other but we also have to come together.

We support the introduction of carbon budgets, but the fact that we have to have this bill shows that there has been a failure. We need a whole-Government approach and the First Minister and his entire cabinet need to take the issue seriously every day. If they do not do that, we are not going to make the change that we urgently need. Scotland, our constituents, and our planet, cannot afford that, so let us get on with it.

The Deputy Presiding Officer: I call Mark Ruskell to open on behalf of the Scottish Greens.

16:06

Mark Ruskell (Mid Scotland and Fife) (Green): It is clear that this climate bill must result in a reset of climate ambition. However, to achieve that, there must be a level of honesty about what getting to net zero actually means and what choices must be made.

Yes, the 2030 target was ambitious—it was on the edge of what the UK Climate Change Committee believed was achievable—but it was also necessary that this Parliament reflected what climate science demanded. Last week, Jim Skea, the chair of the Intergovernmental Panel on Climate Change, said:

> "We are potentially headed towards 3°C of global warming by 2100 if we carry on with the policies we have at the moment".

Colleagues know that a rise of 3°C would be utterly devastating for all life on this planet.

Just six years ago, at the time that we set the 2030 target, Jim Skea said:

> "Limiting warming to 1.5°C is possible within the laws of chemistry and physics but doing so would require unprecedented changes".

Unprecedented changes were what young people around the world were demanding on the streets at the time that we set the 2030 target. They demanded that we keep 1.5°C alive; they demanded that we listen to the scientists and that we make the changes that remain so necessary today.

However, those unprecedented changes were not put forward by Government. The climate plan that came out in 2019 largely fudged the issue; it did not spell out the emissions reductions that could be achieved. Dozens of recommendations made by parliamentary committees to improve the

plan were ignored, as were warnings from the Climate Change Committee to ramp up delivery. Quite simply, it was too little, too late.

It was obvious at the start of this session of Parliament that the 2030 target was starting to slip beyond reach. As this bill looks to reset how targets are measured and as plans are made, we cannot ignore the need for Government to take seriously the need for unprecedented action to tackle the climate emergency.

Action is what Greens need to see alongside this bill if we are to give the bill our full support. We are still waiting for a new energy strategy with a clear presumption against new oil and gas; we are still waiting for the plan to reduce car dependency; we are still waiting for more climate-compatible options for improving the A96; and we are still waiting for a decisive shift in subsidy to help farmers cut climate pollution.

Decisions on those policies and many more will either lock in or lock out climate pollution in the years ahead, but clarity is needed right now.

Graham Simpson (Central Scotland) (Con): I am interested to hear Mark Ruskell outline some specific ideas that he thinks could help to reduce carbon emissions.

Mark Ruskell: I have just read out a list of specific ideas that will help Scotland to reduce its climate emissions.

If Mr Simpson wants to go for a full dualling of the A96, I suspect that that will result in enormous amounts of carbon emissions that will be locked in for decades ahead. I say to Mr Simpson and to other members in the chamber—if this Parliament wants to make such decisions, we have to live with the consequences; if we go for high-carbon infrastructure, it has a consequence, so we need to measure it and understand it. If members want to trade that off against emission reductions somewhere else in the economy, they can make that decision, but we have to operate within our carbon budget. I think that that is implicit within this bill.

The bill does not alter climate ambition, which will come through the setting of a carbon budget next year. However, it does offer the opportunity to learn lessons from the past five years, especially through the need to link action plans with financial budgets and the new carbon budgets. Aligning a five-year carbon budget with a clear and costed plan will, I hope, deliver honest and transparent consideration of what is actually needed on the ground to get to net zero. The evidence that was presented on that by the Scottish Fiscal Commission was important and I hope that the Government will consider giving it a formal role in the process.

Gillian Martin: Will the member take an intervention?

Mark Ruskell: If there is time in hand, I will certainly take the cabinet secretary's intervention.

Gillian Martin: I will be brief. Does Mark Ruskell appreciate that it will not be Government money alone that will take us to net zero? Private investment must be encouraged in setting out the direction of travel. Only with private investment and other layers of Government leveraging in money will we all be able to get to net zero.

Mark Ruskell: Absolutely, but the role of public investment in levering in responsible private investment is absolutely critical. We have seen that with the excellent work of my colleague Patrick Harvie on the heat in buildings strategy, which has a hybrid model of public and private investment to deliver that change. Cabinet secretary, it is the plans that we need to see.

Five-year carbon budgets linked to action are broadly welcome, but, if budgets are being blown, meaningful corrective action is important. We recently received two section 36 reports in the Parliament that were meant to spell out the action that the Government is taking to make up for missed climate targets. However, they did not offer new actions and they did not explain how restated policies would get us back on track. Clearly, the new legislation must put more of a requirement on such reports to spell out—urgently—how course correction could be achieved and to include the financial cost.

How we take the whole of society on this journey is really important. Scotland's first climate assembly, which was mandated under the 2019 act, delivered much-needed and very honest conversations and made some critical recommendations to the Government, some of which were taken on and others that were not. I believe that the Government should consider embedding that approach to public participation in the new climate change bill.

Once again, we stand on the brink of disaster. The climate change bill will help us to learn lessons and will make improvements, but it will not move us to safety. That can come only from the Government redoubling its commitment to the unprecedented action that is demanded by the science, and it must deliver that alongside the bill.

16:12

Liam McArthur (Orkney Islands) (LD): I, too, thank the Net Zero, Energy and Transport Committee. It is hardly a secret that the timeframe in which the committee and the Parliament have been asked to carry out our scrutiny role on the bill could generously be described as suboptimal.

However, with the help of those who have given evidence to the committee, the committee has discharged its duties well and deserves credit.

I will come on to the bill and the committee's findings shortly. First, like other members, I will reflect on how we find ourselves in this deeply regrettable position and, importantly, how it should inform the approach as we go forward, which will be essential if we are to have any hope of meeting our net zero ambitions.

I was one of those who were intimately involved in shaping the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019—Mark Ruskell was another colleague who was involved at that time. Indeed, I can lay claim to having also had a hand in passing similar legislation a decade earlier.

Back in 2019, in a Parliament of minorities, consideration of the bill was a genuinely cross-party endeavour, which, I think, will be required in this instance. On the question of the interim target for 2030, my former Labour colleague Claudia Beamish and I lodged the amendment on the figure of 75 per cent, which was eventually adopted. That was a compromise. The minister at the time, Roseanna Cunningham, argued strongly for a lower target, which, as it happens, still looks unlikely to be met. Green colleagues were intent on going for 80 per cent, which was a figure that seemed to have been plucked out of thin air at the last minute in an attempt to appear more radical. There appeared to be little concern about how an 80 per cent target might be achieved or that any conceivable pathway to meeting it would result in a just transition being comprehensively bypassed.

Mark Ruskell: Looking back on that target, I accept that it seems that it would have been incredibly difficult to achieve, but that target was arrived at in the context of a debate about the climate science. As I said earlier, scientists such as Jim Skea said that even a 75 per cent target would give us only a chance of keeping global warming to 1.5°C. It was a debate about the science. I agree with Liam McArthur that we should also have had a debate about how we would get to the targets and what that would mean for society. I hope that that can now come through the new budgeting process.

Liam McArthur: I certainly agree with Mark Ruskell's final point, but I note that, in his speech, he said that the target in the 2019 bill was on the edge of what was achievable. In other words, what he was arguing for at the time was, in essence, over the edge of what was achievable. Therefore, the 75 per cent target was finally agreed. It is true that the minister made clear her misgivings and that the UK Climate Change Committee agreed that it would be a stretching target.

However, the UKCCC also agreed that the 75 per cent target was achievable, subject to appropriate actions being taken by both the Scottish Government and the UK Government. That is the end of the bargain that has not been upheld. Despite repeated and consistent warnings from the UKCCC that detailed action plans that mapped out a route to achieving our interim target were needed, the Scottish Government paid no heed and failed to deliver.

The blame, of course, always lay elsewhere. The fact that shortcomings were pointed to in the workplace car parking charge or the infamous bottle return scheme was evidence, according to ministers, that it was all Opposition parties' fault or Westminster's. Seldom was responsibility acknowledged, accepted and acted on by the Scottish ministers, either before or after the Bute house agreement. At the same time, we had Nicola Sturgeon and Humza Yousaf trotting the globe, lecturing leaders of other countries on Scotland's world-leading record on tackling climate change. None of those leaders had the heart to point out that the only time that the Scottish Government had met its emissions reduction targets was thanks to the shutdown that was caused by Covid.

Whatever approach is taken, we need less hubris and hype and more of a focused, detailed, painstaking and consistent commitment to action. In that respect, as Sarah Boyack did, I acknowledge the approach that has been taken by the cabinet secretary and her officials. Most of what I have described thus far predates Gillian Martin's taking up her present post, and I genuinely welcome the collaborative approach that she has taken in order to build consensus and rebuild trust. Even the ridiculous timeframe for considering the bill before us was something that she inherited.

On the subject of the bill and the committee's stage 1 findings, I agree that a framework that is based on carbon budgeting is an appropriate way to proceed at this stage. It provides necessary flexibility and allows for the corrective action that Mark Ruskell mentioned in his speech. However, the committee is right to highlight the need for the Government to find a way of translating the 75 per cent target and, indeed, the 90 per cent target for 2040 into the new system of carbon budgets.

Similarly, Scottish Liberal Democrats support the five-year period that is proposed for each carbon budget and note the debate about whether that needs to be aligned with UK budget cycles. I am relatively relaxed about that. I can see the pros and cons in both proposals, and I will be interested to see where the committee goes at stage 2. However, any alignment cannot be allowed to delay plans for reaching net zero.

The final point that I want to make is about transparency and scrutiny. The Climate Change (Emissions Reduction Targets) (Scotland) Bill is a framework bill, and much of the detail will come forward in due course. Given the significance of that detail and the fact that we are where we are precisely because of the absence of detailed action plans, it is imperative that the Government adopts an open-book approach to the options that are being considered. That can aid scrutiny by this Parliament but, just as important, it can provide an opportunity for stakeholders—businesses, local government, the third sector and others—to have their say in shaping the decisions that are taken, which will affect them directly and which we will often rely on them to deliver.

The bill is a reflection of failures. We cannot afford to find ourselves in this position again. We need to move past what Chris Stark, the former head of the UKCCC, described as the "sugar-rush phase" of target setting and on to the serious business of developing detailed plans for delivering on our collective net zero commitments. Having been involved in passing two previous climate change bills, I hope that, when it comes to delivery, it will be a case of third time lucky. In that hope, Scottish Liberal Democrats will vote in favour of the bill at decision time.

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

16:19

Jackie Dunbar (Aberdeen Donside) (SNP): I am delighted to take part in this debate as a member of the Net Zero, Energy and Transport Committee and to talk about our stage 1 report on the Climate Change (Emissions Reduction Targets) (Scotland) Bill.

First, I thank the clerks for all their hard work in completing the stage 1 report so quickly and the witnesses who give up their valuable time to respond to the call for views, to write to the committee and to attend meetings to give evidence. I also, of course, thank my fellow committee members for the way in which the process was conducted.

Scrutinising the bill has reminded me that what is exciting and what is important are not always the same thing in politics. Some folk might not think that changing how we set emissions reduction targets is exciting, but that is important work and this is an important bill.

The first recommendation in the committee's report includes a line that I will repeat, because it goes straight to the principle of the bill:

"The Committee accepts that a framework based on carbon budgeting is a better and more flexible system for setting targets for emission reductions than the current approach."

The move to carbon budgets is the crux of the bill, which proposes a shift from annual and interim targets to a more flexible and effective carbon budgeting system. I absolutely agree with that statement.

The system that we are looking to replace can end up with annual targets being missed or achieved because of how cold or mild a winter we have, and it can leave our nation's progress being judged purely in the light of the politics of the day in this chamber, rather than being based on science, evidence and the advice that is given by experts.

That said, and as the report notes, the current concept of emissions reductions and the associated targets are simpler to understand. It is much easier to say what our carbon emissions were in 1990 and what they are in 2024 than it is to talk about remaining carbon budgets. However, using carbon budgets allows for an averaging out of our carbon footprint, so that we will not exceed our target in a year with a mild winter but then miss it completely the following year if the whole winter is pure baltic.

I highlight that there is still a credible path towards achieving the biggest target of all: reaching net zero by 2045. I remind folk that we talk about "net zero", not "zero", carbon emissions, because carbon can be captured as well as emitted. Our planet, mainly because of carbon sinks such as our oceans, our rainforests and other woodland, can remove some CO_2 from our atmosphere.

Over and above that, there is some scope for engineered processes, and I would not be doing my job as a north-east MSP if I did not mention the Acorn project, which, by 2030, could result in up to 10 million tonnes of CO_2 being captured every year, safeguarding thousands of jobs and contributing billions of pounds to the economy in the process. I am still amazed that the project was not awarded track 1 status by the previous UK Government, and I was even more amazed that, when the UK's new Labour Government announced £22 billion of carbon capture funding last week, the Acorn project did not even get a mention.

Douglas Lumsden: Will the member accept an intervention?

Sarah Boyack: Will the member accept an intervention?

Jackie Dunbar: I will take an intervention.

The Deputy Presiding Officer: From whom are you taking the intervention?

Jackie Dunbar: I saw only Mr Lumsden.

Douglas Lumsden: That was a good choice.

The Scottish Government committed £80 million for carbon capture, utilisation and storage. How much of that money has actually been spent?

Jackie Dunbar: That is a question for the Scottish Government, but if only the previous UK Government had given the same amount of money for a just transition, we might be in a better place.

It is all well and good to talk about targets, but giving the Acorn project the go-ahead would have been a huge step towards meeting those targets, however they are measured. We will not reach net zero without investment.

The bill has been expedited, and some have said that the Scottish Government could have done more, but I fail to see how. The cabinet secretary announced on 18 April that the bill would be brought to the Parliament before the summer recess. However, just five weeks later, a UK election was called and we entered purdah, which shortened the period that we had for scrutiny. That seems to have been a matter of some contention, but if Opposition members want to water down the restrictions of purdah, I guess that it could make the next election really interesting.

As we consider Scotland's journey to net zero, I remind everyone that it is a global challenge and that many folk around the world are looking to Scotland to see what we are doing. I am pleased that the committee supports the bill's general principles. We need to get on with it, get the bill in place, get to our targets and get to net zero.

16:25

Maurice Golden (North East Scotland) (Con): I begin on a note of agreement. I welcome the fact that the bill will introduce carbon budgeting. I agree with the cabinet secretary that carbon budgets can provide a more reliable framework for progress on reducing emissions, which begs the question why the Scottish Government has waited so long to introduce them. I am also pleased that there will still be annual reporting on emissions reductions, even if the emissions targets are being ditched. However, if carbon budgets are to be more effective, we need them to be aligned with the wider UK carbon budget. That is common sense. We must also have a robust reporting regime. We want this bill to work, which is why we will lodge amendments on those matters. I hope that the Scottish Government will work with us on them.

On reporting, the Scottish Government has consistently struggled with emissions targets—I will return to that issue later—and we need to ensure that that pattern is not repeated with carbon budgets. That is why we need increased scrutiny and parliamentary statements if there is a failure to meet the carbon budget. Ministers should be required to explain the reason for the failure and set out what they will do to get back on track. Not only is there practical value in those measures, but I believe that they would help to create a better sense of ministerial accountability, which would go some way towards restoring public trust in the Government's commitment on climate change.

For similar reasons, I am also looking to strengthen the bill's approach to interim targets. The Net Zero, Energy and Transport Committee has noted its regret that the 2030 and 2040 emissions targets are being ditched. I would go further and say that that causes further damage to the Scottish Government's already tarnished record on climate change. We need to restore a sense of urgency and commitment to climate action, which is why I want to see interim targets for 2030 and 2040. The principle of having a target is recognised by the Scottish Government—namely, the net zero target for 2045.

Gillian Martin: I hope that this will be a helpful intervention. I am really interested in everything that Maurice Golden has to say on climate change, because he is very invested in the subject. I would like to know what big interventions he would like to see in the climate change plan that will really move the dial on this.

Maurice Golden: I will give the cabinet secretary an example that would not cost any money. We need a complete radical reform of public procurement. If we had a series of new frameworks around the circular economy and procurement, with a move from one-off purchases to rental and leasing models, that would help to pump prime the entire wider economy and, ultimately, encourage the third sector to be engaged and businesses to adopt similar approaches. That would be really helpful. I have further suggestions on public sector bodies and their attitude to risk, particularly when they award a contract to a smaller business or third sector organisation. They are sometimes reticent to do that. If we are going to be successful in that space, there is lots of work that we need to do in that regard.

The draft climate change plan has been delayed for far too long, and my concern is that Parliament simply will not have time to properly consider suggestions for amendments. I have already raised that issue with ministers. I want to see a firm commitment in the bill to get the draft published by the summer next year, and I appreciate the cabinet secretary's comments on that.

Clearly, there is work to do on carbon budgets and other specific aspects of the bill. However, I turn now to the wider context of the bill, because it is no understatement to say that we cannot afford for it to fail in its objectives. We have seen too much failure already. As much as I have always commended the Scottish Government for showing ambition in tackling climate change, the fact remains that it keeps missing targets. It has failed nine times in the past 13 years. I assure the cabinet secretary that all of that is said constructively. The job of the Opposition is to point out when things are going wrong, and a responsible Government should be able to hold up its hands and admit frankly that to have missed targets nine times is awful.

If the bill is to succeed, we need a change in attitude from the SNP. It needs to be honest about what is going wrong. When it abandoned the 2030 net zero target back in April, it did not mention that it had known seven months before its announcement that it was almost certain to miss the target.

The SNP needs to work constructively. When the Circular Economy (Scotland) Bill was going through the Parliament, Opposition members lodged amendments to strengthen it. However, instead of accepting those good-faith proposals, the SNP watered down the bill.

It also needs to back up its words with actions. It cannot claim to lead on climate change, given that it has delayed the next draft climate change plan, with no date in sight, and has cut more than £23 million from the net zero and energy budget.

The bill is an opportunity for the SNP to put those failures behind it, work across Parliament and deliver policy that will ensure that we stay on the road to net zero.

16:31

Bob Doris (Glasgow Maryhill and Springburn) (SNP): As a member of the Net Zero, Energy and Transport Committee, I thank the clerks, the Scottish Parliament information centre and all the witnesses who gave evidence—and fellow committee members for their efforts in meeting a challenging timescale for completing our stage 1 scrutiny.

Although it was far from ideal, I stress that a condensed period of scrutiny does not mean a compromised level of scrutiny. I will point to two factors. The first is the effectiveness of our committee's pre-publication call for evidence in drawing out key issues. I commend the convener for his key role in that. Secondly, we heard from 15 witnesses across 14 organisations and groups, not including the cabinet secretary and her officials. The scrutiny was condensed but robust.

However, I believe that the exercise has been quite sobering, not just for the Scottish Government—we have to be honest about that—but for the Parliament as a whole. When we reflect on the revised targets from 2019—earlier today, I reread the stage 3 debate on the Climate Change (Emissions Reduction Targets) (Scotland) Bill—we may just need to acknowledge that, although those might have been at the outer reaches of what was achievable, they were earnest, well intentioned and ambitious. However, with hindsight—which is always 20:20 vision, of course—I am not sure that they were that credible. During the passage of that legislation, an 80 per cent target was suggested, then a 77 per cent target, and we landed on 75 per cent. The Scottish Government suggested 70 per cent, which was based on the advice of the UK Climate Change Committee. It said that 70 per cent was the prudent target, but the Parliament went for 75 per cent. Whatever we do in this place from here on in, let us never again get into a bidding war over what targets are credible for achieving net zero. Let us work with and follow the evidence.

Gillian Martin: I am cognisant of the fact that the committee has requested more information ahead of its scrutiny of the secondary legislation. Does Bob Doris agree that an offer from me and my officials to give as much information as possible about potential options for getting to whatever target we put forward will be essential to the committee in making such an informed decision?

Bob Doris: Yes, I would appreciate that, and I hope that those will be options for tangible actions on the ground, not abstract policy papers. I would welcome that.

The commitment to achieving net zero by 2045 remains firm across all political parties. In getting there, we must retain the ambition but also ensure that the route map is credible and realistic. Notwithstanding the recommendations made in the committee's report, I believe that the bill and, with it, our nation's pivot to a five-year carbon budgeting process is a key part—although not the only part—of ensuring that we build credibility into our 2045 target. That is why the committee was unanimous in backing the general principles of the bill.

I turn to the recommendations made in our report. Recommendation 5 asks the Scottish Government to

"consider laying a draft"

of the climate change plan

"at the same time as it lays regulations setting out carbon budget targets".

The key word is "consider", which is one that the committee chose. It would be desirable also to

allow maximum scrutiny of carbon budgets. However, we heard that that could be challenging and have practical implications, given that the Scottish Government remains clear in its view that such budgets must be set in law before a draft statutory climate change plan is published. I find that frustrating but, on balance, probably realistic. However, I welcome the Scottish Government's response that it will reflect further on that and, at the very least, will consider what detailed information on the development of plans can be provided at the point where carbon budgets are introduced to Parliament.

I want to be clear about one point, though. I hope that members will allow me to follow this line of logic. In one respect, none of that matters. Carbon budgets are a recasting of targets. It will be actions—not targets—that deliver net zero. All roads lead to on-the-ground delivery of actions and targets in the climate change plan. That reality very much sits at the heart of our committee's recommendations at paragraphs 4 and 11 of the executive summary. The committee was clear that we need not only policy actions but associated costings to allow a laser-like focus on scrutiny and delivery, which is an important point.

Sarah Boyack: Will the member take an intervention?

Bob Doris: If I have time, Presiding Officer.

The Deputy Presiding Officer: If it is brief.

Sarah Boyack: Mr Doris made the important point that the issue involves both expenditure and benefits. Without spending or investing, we miss out, not only on the opportunity of reducing climate emissions but on the other wider economic and social benefits that could come. It is an important recommendation, but it needs to address both aspects. Does the member agree?

Bob Doris: I think that I would agree with that. I add that the Parliament must come together to work out exactly what level of detail we would accept on the costings and benefits that can be drawn up, to give credibility not only to the Government but to Parliament, and to give confidence in our climate change plans. The Scottish Government agrees, and its response outlines existing provisions on the costings for previous climate change plans. That said, I welcome the fact that the Scottish Government was open to reviewing the position to see what more can be done.

We have heard from Sarah Boyack that more can be done, and I agree with her. I know that our committee will follow the issues with great interest. For my part, I add that it is about not only the costs of the actions to deliver net zero for Government but the costs across all sectors of the Scottish economy and all aspects of our way of life. It is not simply about budgets in this place; it will also require significant private sector investment. Should we forecast that investment, there will be cost implications for businesses, households and workers—we should not pretend that there will not be.

That leads me on to the just transition. We need an open, on-going and honest debate about that. Likewise, we in Scotland's Parliament need the political courage and non-partisan environment that will allow us to be just as open and honest about whether the UK Government budgets and the consequentials that flow here, and the wider pan-UK policy frameworks, are sufficient to help Scotland to deliver net zero. Calling that out and questioning it is not a blame game; it is about coming together in a non-partisan way to help to deliver net zero.

Presiding Officer, I will make a couple more brief comments if I have time.

The Deputy Presiding Officer: Mr Doris, I think that you should be starting to bring your remarks to a close.

Bob Doris: I will merely say that I do not necessarily support alignment with UK carbon budgets. I also welcome the additional reassurances and reporting that the Scottish Government has given in response to our stage 1 report. I thank the committee for all its work on what I think is a splendid piece of scrutiny.

16:40

Katy Clark (West Scotland) (Lab): It is a pleasure to take part in this debate, because although I am not a member of the committee and have not been involved in all the discussions that have been taking place in the Parliament about it, the debate about what targets should be and how we achieve them—which, of course, is the important thing—why we need carbon budgets and why we collectively need to step up to the challenge should be central to what we are all thinking about in this Parliament and beyond. Climate change and the effects of climate change should be at the forefront of our minds.

I accept that there is a political consensus in this Parliament that we need to step up to that challenge, but we also need to be honest with ourselves and admit that none of us has done everything that we should be doing, and we need to do far more than we have done.

We know that the Scottish Government has missed nine out of 13 targets so far and has missed eight in the past 12 years. We know that it failed to produce its climate change plan in late 2023, and I believe that we still have a legal

deadline of late November to produce a plan, which is why we are having this debate.

Collectively, we need to agree that we must put in place every available resource to ensure that we do everything that we can to drive down our emissions.

Lorna Slater: The member suggests that we need to take every available opportunity to drive down our emissions. Does that mean that Labour-led councils in Scotland will implement the workplace parking levy, which would not only raise money to invest in public services but incentivise a reduction in traffic?

Katy Clark: I am not going to use my time here today to debate the pros and cons of the parking levy. There are many actions that need to be taken, and the member will be fully aware of the debate that is taking place on that issue.

Political parties in councils up and down Scotland also need to have the discussion that we are having, and we need to provide leadership. The Climate Change Committee deemed that the 2030 target of a 75 per cent reduction was beyond credibility. It also said that the introduction of multiyear budgets would

"provide a more reliable indicator of underlying progress"

and that a five-year period was most appropriate, given that the UK and Welsh Governments are already doing that. I agree that the Parliament and the Scottish Government should consider that, but we need to have a proper discussion of the pros and cons of that. I am not aware of all the arguments on both sides, so I hope that we are able to come back to that and discuss it as a Parliament.

The committee also said that each Scottish budget should be accompanied by a detailed plan, identifying what actions will be needed to achieve the reductions. I hear that Lorna Slater has one specific proposal, but a raft of measures will need to be taken. It is important to lay out what those policies will be, and an evaluation plan will be needed to track indicators to identify whether the deployment of scaling up at pace that is required is taking place.

As Liam McArthur said, there has been a series of failures on this agenda, and more detailed consideration of some of the specifics is something that the Parliament needs to do more regularly.

It has become abundantly clear that, although not enough is being done, there is a will in all political parties in the Parliament to do more. I am, therefore, supportive of the bill, but I agree that far more needs to be done to address the climate emergency, and, in the short time that is available to me, I want to focus on what that means to ordinary people, because this Parliament also has to carefully consider what a just transition means.

Much of the debate has been focused on a just transition for oil and gas workers, who will be at the centre of any move away from fossil fuel usage. I hope that the Scottish Government is working with the new UK Government to ensure that we have a concrete plan for energy transition jobs in Scotland.

Kevin Stewart (Aberdeen Central) (SNP): Will the member take an intervention?

Katy Clark: Yes, I would be happy to—I can imagine what it might concern.

Kevin Stewart: While Katy Clark is making an ask of the Scottish Government around the protection of oil and gas workers in that just transition, my appeal to her would be to ensure that the Chancellor of the Exchequer, in her budget, does not muck up the allowance regime, which could lead to job losses amounting to some 30,000, according to Unite the union.

Katy Clark: I understand that there is work going on regarding that issue, but I would point out to the member that I am not the Chancellor of the Exchequer. I make representations to the Chancellor of the Exchequer, however, and I know that Scottish Labour is fighting to ensure that as much as possible is done to make progress as quickly as possible.

Colleagues will be aware that Unite the union has launched its no ban without a plan campaign, which calls for new jobs to be commensurate with current workers' roles. We need pay protection and training to allow workers to transition to the jobs of the future.

The experience of working people in the past has been of unjust transitions, and they have no reason to believe that it will be different this time. If we allow Grangemouth to close, the situation will be looked at again by working people to see whether warm words have become a reality. In many ways, the closure of Grangemouth is not just about climate change—there are far wider issues there—but we need to build support for the actions that are needed to reduce our carbon emissions. That has cost implications, and such actions need the support of all the community.

We cannot continue with the economy being at the mercy of corporate profiteering, which dramatically increases people's energy bills. We need to move to a system of greener, cleaner energy at a price that we can all afford, and we need a strategy that gets the support of the whole population for the changes that we need to make. We are seeing the devastating effects of climate change across the world and, increasingly, we are beginning to see that in our own country. We must

do more, we must do it collectively, and we cannot wait longer for real action to be taken.

16:47

Michael Matheson (Falkirk West) (SNP): Like other members of the Net Zero, Energy and Transport Committee, I offer my thanks to the clerks for managing to decipher the various views that were provided by committee members in the drafting of the stage 1 report. I also thank the witnesses who presented evidence at committee and those who made written submissions to the committee for its drafting of the stage 1 report.

The committee convener is no longer in his seat, but I agree with him that the Climate Change (Emissions Reduction Targets) (Scotland) Bill is largely a technical bill, although it has been wedged into what I think is a very complex policy area. At times, it can be challenging for the uninitiated to understand the different parts of the system and the roles that they play in ensuring that we make sufficient progress in tackling the issue of carbon emissions. Potentially, it is one of the most significant bills that the Parliament will pass in this session, because the application of carbon budgeting over a five, 10 or 15-year period has very significant implications for Government spending across a whole range of policy areas. Therefore, although it is short and technical in nature, the bill is an extremely important piece of legislation, particularly given the impact that it can have on policy spending commitments in the next couple of decades and in ensuring that Scotland plays its important part—small though it may be—in tackling the twin crises of climate change and biodiversity loss. In my view, that is the biggest global challenge that we have ever faced.

Noting what we have heard in the course of the debate so far, I acknowledge those who are critical of what is viewed as a lack of progress to date. It would be churlish, however, not to recognise and acknowledge the progress that has been made over the past decade and a half. The cabinet secretary was right to highlight the point that we are more than halfway to achieving our net zero ambitions by 2045.

That is not an effort that has been made only by the Government; it has been made by a whole range of stakeholders, whether they are in the private sector and have worked on the decarbonisation of our energy system, or are in our community groups and have worked to encourage recycling. I think that those efforts have been critical in pushing the circular economy much more effectively in Scotland.

Despite the progress that has been made, there is absolutely no room for complacency. I believe that the bill provides an opportunity for a reset in ensuring that we take what will need to be urgent and sustained action to meet our climate change objectives. I believe that a five-year carbon budgeting process will prove to be more flexible and should help to improve transparency around the progress and approach that the Government is taking. In my view, from my experience in Government for an extended period of time, that measure is critical. The five-year carbon budget—or any climate change plan—is not simply owned by the acting Cabinet Secretary for Net Zero and Energy or the acting Minister for Climate Action. I agree with Sarah Boyack that this area of policy requires collective responsibility right across the Government, in a way that I believe that we have sought to achieve in recent years, and I think that carbon budgeting will assist us in having a much more transparent approach to how different parts of Government are playing their part.

That brings me on to what I think is an important issue, which is the need to ensure that the scrutiny of carbon budgeting and the climate change plan, which will sit alongside that, is robust and effective. The Parliament must be given the opportunity to scrutinise those issues effectively. We should also reflect on how we have arrived at the circumstances that we have found ourselves in, as they relate to the bill. As has been pointed out, the 75 per cent target that was set in 2019 went beyond the target that was recommended by the independent experts on the Committee on Climate Change, who recommended that a target between 65 and 67 per cent would be achievable and would be in line with the goal to reach net zero by 2045. I recognise and accept that the Parliament set a different target from that.

It is important for the Parliament to recognise that setting targets, by and large, is the easy part—the very easy part—because, if we are to achieve those targets, we will have to make policy decisions that will not always be easy. They will require leadership, not just from the Government and from ministers in individual portfolios. It is easy for us to say that we should do a bit more of this and a bit more of that, and to not be specific about exactly what actions we should take. However, if we are serious about achieving those targets, that will require political leadership from across the chamber. Parties will need to step up and make some of those very difficult decisions. Members will need to back policy options that will have an impact and, at the same time, could prove to be controversial. That will require leadership, not just from the Government but from members in the chamber.

The Presiding Officer (Alison Johnstone): I must ask you to conclude, Mr Matheson.

Michael Matheson: I hope that members will take that opportunity on board.

In relation to section 36 of the Climate Change (Scotland) Act 2009, I hope that the Government will recognise the need for the legislation to be amended in order to ensure that there is a consistent approach to dealing with any gaps during the course of a five-year carbon budget period. I believe that the legislation, if properly enacted, can make a real difference as we drive forward and strive to meet our climate change targets.

The Presiding Officer: Ben Macpherson is the final speaker in the open debate.

16:54

Ben Macpherson (Edinburgh Northern and Leith) (SNP): As a former member, and still a substitute member, of the Net Zero, Energy and Transport Committee, I am very pleased to speak in this important debate. I put on record my thanks to, and admiration for, the clerks and the work that they have done in a very pressing timescale to progress the bill to stage 2. I also commend the work of the committee convener and the other members.

The timescale, as Jackie Dunbar mentioned, relates to the question of purdah and the general election. That raises a question as to why the UK Parliament does not have to consider when this Parliament is in an election period—it is only the other way round that there are issues with timetabling, which puts pressure on us.

I move to the bill. We know that, back in the spring, the Climate Change Committee made a public announcement on the challenges around the 2030 target, and the Government has responded with this proposed primary legislation and the changes that are set out therein.

That comes from a position where there has been much progress. Of course, we are all disappointed that the progress has not—because of various factors—been significant enough to meet the 2030 target but, as the cabinet secretary said, we have to be realistic.

That being said, the figures confirm that Scotland is now halfway to net zero, achieving the largest reduction in emissions of any nation in the UK, and decarbonising faster than the European Union 27 average. At the same time, our economy has grown by 67 per cent in real terms, which demonstrates that tackling climate change and growing the economy can go hand in hand—I will come back to that in a minute.

Sarah Boyack: I appreciate the member taking an intervention, because I very much agree that we need to highlight the benefits of tackling climate change, not just for the economy but for people's homes, transport connectivity and new manufacturing opportunities. Rather than saying, "Here's a problem that's difficult to solve," we should be saying, "Here are the opportunities, and here's how we could work together."

Ben Macpherson: That is a brilliant point from Sarah Boyack and I could not agree more; I have said the same on many occasions in the chamber and round the committee table. I refer to the evidence that Chris Stark gave to the committee on 23 April, in which he made that point clearly. If I have time, I will come back to that.

With regard to our success, as well as reducing emissions in order to meet the targets, and as well as the social and economic benefits that Sarah Boyack and others have outlined, we should not forget the technological skills and knowledge development that has taken place over that period. For example, there is the innovation that has happened in my constituency through Nova Innovation, the tidal energy company. It is not only developing engineering solutions and expertise that can be utilised—whether it is in research or in manufacturing product—elsewhere in the world; it is also exporting technology that is reducing emissions elsewhere.

It is not just about Scotland's impact on reducing emissions here, because we have to be realistic: our contribution to global climate change is very small. If we want to contribute to meeting the wider challenge, it is what we export in terms of expertise, knowledge and technology that will make the biggest impact.

To go back to the bill, one of the main points is the multiyear carbon budgets. Those can provide a more reliable framework for sustained progress in emissions reduction, as volatility is smoothed out over the budget period. That position is reflected by the Climate Change Committee, which has advised that carbon budgets are the most appropriate indicator of underlying progress in emissions reduction. That model is well established and is used by other countries such as France, Japan and Wales.

Carbon budgets will also help in the management and navigation of public opinion and trying to take people with us, and in addressing the political challenges in a competitive democracy when political parties are considering their offers at election time.

As Chris Stark said in an answer to me,

"the point is that there is the idea that something that goes beyond the parliamentary cycle must be done, and that it is the responsibility of Government in each of those parliamentary cycles to keep the show on the road. That is easier with carbon budgets, because you are pointing towards a thing that will go into the next session of Parliament, the one after that, and the one after that. There is then a duty on Government to do the right things in that session."

In relation to our collective political challenge, five-year carbon budgets should be useful, if we pass this legislation.

We need to take the people with us, which is a challenge and a responsibility for all political parties. As other members, including Sarah Boyack, who intervened on me, have emphasised, and to quote Chris Stark again,

"The benefits to this country of achieving net zero are immense—not just to the climate but in the form of jobs, to the landscape around us, to trade and to a host of social issues. Those reasons, alongside the climate benefits, are why you should want to pursue net zero."—[*Official Report*, *Net Zero, Energy and Transport Committee*, 23 April 2024; c 45, 47.]

Warmer homes, reducing the cost of electricity, cleaner air, more exercise, a better diet and better use of land—all those things are part of it.

I have not heard all the evidence that the committee took at stage 1 but, when the bill was published, I thought that its title should perhaps be the "Net Zero (Emissions Reduction Targets) (Scotland) Bill". I think that that would be a more accurate descriptor and maybe something that the Government could think about.

The Presiding Officer: We move to winding-up speeches.

17:00

Patrick Harvie (Glasgow) (Green): I echo the thanks that other members have put on record to the committee, its clerks and others who have supported a rapid scrutiny process. However, across political parties, there has been a recognition that nobody really wants to be here. Nobody should be proud of the fact that it has been necessary to introduce the bill or for us to consider it.

The first two climate acts that the Parliament debated and passed were statements of ambition; this one is a statement of failure. It is a recognition that we are years behind where we should be on climate and that Scotland has not managed to be the climate leader that we all aspired for it to be.

Back in 2009, when we first set climate targets into law, by taking part in the international process—even as a non-state party—by advocating for concepts such as climate justice and loss and damage, and by building international credibility in its climate position, the Scottish Government tried to do the right thing, but we claimed that credibility and then have failed to earn it since.

It has been recognised that this is a narrow bill, which is part of the problem. It is certainly core to my discomfort that we are debating a narrow technical bill when we should be debating the profound policy change that is required to get us back on track. Prior to Gillian Martin taking over as acting cabinet secretary, the Cabinet Secretary for Net Zero and Energy, Màiri McAllan, was wrong to describe this as "a minor legislative amendment". No—this is a fundamental point in the journey that we have been on.

We have had climate legislation and statutory targets for 15 years. During those 15 years, we have seen inadequate progress towards meeting those targets. If the next 15 years follow the same pattern, it is game over. We can wave goodbye to net zero if the next 15 years see a similar lack of progress. We have a good story to tell on decarbonising electricity, but we pretty much have flatline emissions throughout the rest of the economy, or reductions so meagre as to make no difference.

The new legislative framework must lock in a better trajectory—a better path—for the second half of this journey. That framework will involve multiyear carbon budgets and retain annual reporting and accountability. That is fine—that framework, seen in isolation, can be an improvement. There will still be room for improvement within it, such as by having a degree of politically independent scrutiny to ensure that future climate change plans are adequately funded. At the moment, that scrutiny is political or internal to Government, so there is a role for independent scrutiny there.

There will be a need to ensure pace, because if we see a new CCP come forward only at the tail end of this parliamentary session, there is a danger that we will have gone through the entire session recognising that we are years behind where we should be but with a lack of the acceleration that is necessary. We need to see pace on current action even before we get to a new CCP.

There is a case for debating a sectoral approach to carbon budgets. There is certainly a case for stronger duties on the Government if budgets are breached or look to be off track. I am sure that those and more issues will be debated when we get to the amendment stage.

However, the legislative framework in itself is not enough. Political will and urgency are required. That is the debate that we should be having—not one that is just about how to get the Government out of a legal hole. We all understand why the Government is in that legal hole and why change is necessary. We need to be debating how we got into that hole and how we are going to achieve acceleration of action now and into the future.

The bill could have been combined with policy substance. We know that legislation is required on heat in buildings. Legislation will be required on

transport and on much more if we are going to achieve the transformational changes in policy that are required. Had this bill on a framework been combined with that policy substance, it would have given Parliament the opportunity for a much richer debate—one that would have answered part of Michael Matheson's challenge to those who will the end but do not will the means, which has been a fundamental part of the problem so far.

Green support for the bill cannot be taken for granted. We will abstain at stage 1. Our support for the bill later in the process will be contingent on what action the Scottish Government is willing to put its weight behind. Government action over recent months in too many areas of policy has been in the wrong direction, so the Government has a lot of work to do over the short time before we get to stage 3.

Just this morning, the Constitution, Europe, External Affairs and Culture Committee took evidence on climate justice. Our witnesses talked about the danger that Scotland will lose the international credibility that it has won on climate. The bill recognises that Scotland's credibility is weaker than it should be. It can still be strengthened, if, for example, the Scottish Government publishes, before stage 3, the energy strategy and just transition plan. It would then be able to go to the 29th United Nations climate change conference of the parties—COP29—with the clear position of a presumption against new oil and gas. Such a step would begin to reclaim the leadership that Scotland aspires to but that has been put in jeopardy.

17:07

Monica Lennon (Central Scotland) (Lab): I welcome the opportunity to take part in the debate and to close on behalf of Scottish Labour. As a member of the Net Zero, Energy and Transport Committee—it sounds as if it has been a popular committee in the chamber today—I associate myself with the thanks from the convener and other colleagues to all the clerks, witnesses, stakeholders and other committees that participated in scrutiny of the bill. I also thank the cabinet secretary and her officials for their constructive and open engagement with MSPs. I hope that that continues throughout stages 2 and 3.

Today, we have heard constructive contributions from colleagues across the chamber, who told us that the bill is in reasonably good shape but that there is more work to do. Many of the insights and questions that we have put to the Government and to each other are informed by the evidence that the committee took at stage 1, as well as by stakeholders who continue to send us briefings and information. It is important that Government and Parliament continue to listen.

When the committee's convener, Edward Mountain, made his opening remarks, he set the tone and the theme. At the committee, we were very much in a reflective mood. That is apt in the Parliament's 25th year, but those of us on the committee, as well as members in the chamber today, have expressed regret that we are in this situation. However, part of the theme has also been a reset, which is a constructive challenge to us all. Katy Clark talked about collective action. I will offer some reflections on the points of agreement that we have heard about.

Douglas Lumsden was correct to say that parliamentary scrutiny should not be the loser. We all want to work at speed—we know that we need to catch up—but we need robust scrutiny. Maurice Golden said that we need a robust reporting regime, and we in Scottish Labour agree with that. That is why I hope that we will continue to work with the Scottish Government at stages 2 and 3 on the recommendations that we have made. Overall, the 21 recommendations in the committee's report are really important.

I did not hear a lot of disagreement on carbon budgeting. In the committee's report, we settled on the view that

"a framework based on carbon budgeting is better and a more flexible system for setting targets for emissions reductions than the current approach."

I am hearing that, across the chamber, we all share ambition. None of us wants missed targets or missed opportunities. We have heard from Labour members and others in the chamber that we want a just transition, because not getting it will put jobs and our communities at risk. Maurice Golden rightly said that we cannot afford more failure.

People have given examples of the policies that they feel frustrated about. Scottish Labour and the Scottish Greens share the frustration around the reinstatement of peak rail fares, which not only is the wrong decision but sends the wrong message to the public. We have heard comments about taking the public with us and giving people certainty and confidence; that decision does not send the right message.

Mark Ruskell set out that we must absolutely root the bill in the science. Parliament has always tried to do that. Where we need to have debate is on the detailed policy measures that we need to take, because the detailed policy pathway has been missing. Scottish Labour is fully committed to working with the Government and others on that point, but we need to get into the detail of the policies that are required.

It was good to hear from colleagues who have been here a bit longer than I have, such as Liam McArthur. I thank him for reminding us of the massive contribution that Claudia Beamish made when she was in Parliament. We heard an exchange between Liam McArthur and Mark Ruskell about what the right targets should have been—let us get into such a detailed discussion and have that passion when we talk about policy and action, because we have a policy vacuum right now, which will not get us very far.

Jackie Dunbar talked about the fact that, in Parliament, things can be exciting or important. Getting to net zero is exciting and important—it is essential. I hope that it will bind us all together.

I do not think that Michael Matheson saw me when I tried to intervene on him, but I am interested in hearing how we knock down the barriers. Sarah Boyack and others talked about the need to work cross-Government, and that is about wider society and local government, too. There are obviously barriers there. When Michael Matheson was Cabinet Secretary for Net Zero, Energy and Transport, he also had a cross-Government role.

We need to learn those lessons fast—

Michael Matheson: Will the member take an intervention?

Monica Lennon: I think that I have only a few seconds left, but I will take the intervention.

Michael Matheson: I apologise that I never noticed that Monica Lennon was seeking to make an intervention during my contribution.

The key thing is that much of the low-hanging fruit around policy areas has gone, which means that we are making difficult decisions about policy options, with things such as the workplace parking levy. If road charging must be introduced, there is a UK aspect to that, alongside road tax. We will have to get into those areas. Is there scope to have the right type of debate to allow that to happen in a way that informs how we meet our climate change targets, rather than makes us take a reactive political position to it?

The Presiding Officer: I ask Monica Lennon to conclude.

Monica Lennon: We need to get the right national policies, and we also need to empower local decision making. Some policies will work in some local authorities and not so well in others. The message about action was really important.

We heard in committee from Mike Robinson, in his capacity as chair of Stop Climate Chaos Scotland, who reminded us that the reason why targets

> "are unachievable ... is that there has not been enough action. We have had the declaration of a climate emergency but not a lot else. It has been a failure of action, not a failure of ambition, that has led us to where we are now."—[*Official Report, Net Zero, Energy and Transport Committee*, 17 September 2024; c 25.]

We need to bear that in mind. However, we are here to help with the action that is required, and the cabinet secretary has our word on that.

17:14

Graham Simpson (Central Scotland) (Con): I, too, thank the committee for its work. I am not a member of the committee, but I am a regular attendee. As a member of the Scottish Conservatives' team climate, that will continue. In commenting, parts of what I say will be directly lifted from the committee's excellent report.

Monica Lennon: I will try to be as brief as I can, Presiding Officer. It is great when colleagues such as Graham Simpson come to the committee, because it shows the interest in the issue that there is across the Parliament. I hope that he will continue to come to the committee.

Graham Simpson regularly raises the issue of bus travel, and the fact that we have many communities that hardly have a bus to speak of. Does he agree that we need to see more policy, more action and more investment in that and that it is something that should unite the Parliament?

Graham Simpson: That was a lengthy but welcome intervention. Monica Lennon knows the answer; she knows that I agree with her.

At the heart of this is the Scottish Government's failure to meet legally binding climate change targets or to produce a draft climate change plan by the end of November, despite having promised to have it ready a year ago. Patrick Harvie was absolutely right when he mentioned that. That sets a worrying precedent, such that if a Government finds itself in a tight spot where it is unable to abide by the law, it just changes the law and, even worse, it expects Parliament to go along with it and to act at a speed that Parliament would not wish to act at, and without the level of robust scrutiny that we would normally wish for.

As the committee said in its report,

> "effective Parliamentary scrutiny of targets and plans is a crucial component of overall net zero delivery and should not suffer due to the timing of this Bill's introduction or the Scottish Government's understandable wish to re-establish momentum."

I agree with that.

It is worth setting out, as others have, the legislative landscape that has got us to where we are today. First, we had the Climate Change (Scotland) Act 2009, which established the legal

framework for setting emissions reduction targets and reporting on progress towards meeting them. That was amended by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. There was a lot of excitement that year about the climate emergency. That was the year when Nicola Sturgeon declared that there was one, so it must have been true. She said at the time that

"Scotland will live up to our responsibility to tackle it."

No doubt the international confidence in the former First Minister's messianic abilities to deliver is what had as-yet-unnamed world leaders queueing up for advice on how to do so.

Perhaps not surprisingly, the 2019 act imposed some pretty tough targets, including an interim target of at least a 75 per cent reduction by 2030, an interim target of at least a 90 per cent reduction by 2040, and a final target of net zero emissions by 2045. We are not going to hit the first target. That is not so surprising, given that the Scottish Government does not seem to have a plan to achieve it. Also, the Government is not going to meet its legal requirement to lay a draft climate change plan by 22 November.

The CCC, which is the independent adviser to Governments in the UK on climate change policy, had been due to produce its annual Scotland progress report in December 2023. In the absence of a climate change plan, that was postponed. The CCC eventually published its report in March this year, and among its conclusions were that

"Scotland missed its 2021 annual legal target. This is the eighth target in the past 12 years that has been missed ... The acceleration required in emissions reduction to meet the 2030 target is now beyond what is credible."

The CCC went on to say that

"Scotland is therefore lacking a comprehensive strategy"

that outlines the actions and policies required to achieve the 2030 target.

Bob Doris: Will the member give way?

Graham Simpson: Do I have time to take an intervention, Presiding Officer?

The Presiding Officer: There is not any extra time to give you.

Graham Simpson: I am sorry, Mr Doris—I will have to leave that.

That was followed by the Scottish Government announcing on 18 April that there would be a new legislative approach to setting emissions reduction targets. In the statement and in further public communications over the following weeks, other details were confirmed: the 2030 target would be removed; the current system of a net zero target, supported by key interim targets and annual targets, would be replaced by a system of five-yearly carbon budgets; and the ultimate target of achieving net zero in emissions by 2045 would be retained. In the 18 April announcement, the cabinet secretary said that this new legislation would be "expedited", which was to avoid running into the legal duty to produce the draft climate change plan by this November.

Against that background, it is not surprising that my good friends in the Scottish Green Party have been somewhat miffed by the lack of progress. I do not blame them. However, we are where we are. We have a rather unfortunate bill in front of us, and we must decide what to do about it with very little time.

The bill does not specify how soon after receiving advice from the CCC the Scottish Government must lay regulations setting carbon budgets. That contrasts with the UK Climate Change Act 2008: that matter must be addressed at stage 2. The acting cabinet secretary said that she was considering lodging an amendment to set a timescale between the receipt of that advice and laying regulations. We will do likewise, so we should work together on that.

Another issue is that of our possibly aligning with UK carbon budgets—we have heard about that in the debate—which makes sense. There was no clear agreement in committee on that, but it should be explored at stage 2.

We agree to the general principles of the bill, but there are still improvements that should be made. I look forward to stage 2 and, a week later, to stage 3. That is a bit longer than the Government argued for, which is a happy victory for the Parliament.

17:22

Gillian Martin: I thank all colleagues across the chamber for a debate that has been very interesting to listen to and, actually, very consensual.

We are in an unfortunate situation whereby we have missed targets. However, one thing that sets us apart from other Administrations around the world—I hope that this remains the case—is that there is not one party in this Parliament that does not agree that we have to do something to reach net zero by 2045. We are very lucky in that respect, because climate change denial is very real in other parts of the world. I thank everyone for that.

With that in mind, I note that the bill is the springboard for the next 20 years. In effect, it will set the way in which we challenge ourselves to meet targets across consecutive envelopes of five years across the next 20 years, and it is the climate change plans that are associated with the

bill that will get us to net zero by 2045. The bill is also the springboard to more progress and action.

I will work with anyone who comes to me with a credible suggestion of something that we can consider putting in the climate change plan, if they think that it will deliver on emissions reduction in a fair and costed way. Yesterday, I was called a little bit naive for wanting to take the politics out of the discussion on climate change. However, I am still hopeful that we can look at climate change as an existential threat that we are facing. As Michael Matheson said, the twin crises of climate change and biodiversity loss are an existential threat. We must take the politics out of this, get our heads together and make some really serious decisions on what we prioritise with our spend and our actions. We must have conversations with our constituents who are not convinced that net zero is worth doing.

Sarah Boyack rightly repeatedly made the point that although reaching net zero can appear to people to be a very challenging, difficult and negative thing to do, it also represents an opportunity for us to bring people out of poverty, to reduce inequality and to make structural changes to the fabric of society that will give us all better lives. We need to make the decisions on how we do that.

Maurice Golden: I have another suggestion. I have concerns about the electric vehicle charging roll-out. People with a driveway who get a charger and sign up to a tariff pay 7p a kilowatt hour. However, with private operators of chargers in particular, people often pay 10 times that. People who live in a flat or do not have a driveway pay more. It would be really useful to ensure that that is subject to regulation.

Gillian Martin: I agree with the member, and I noticed that Fiona Hyslop was nodding as he made that point. I have an electric vehicle and a home EV charger, but if I lived in a flat in Edinburgh, I would not have access to a home charger and I would pay more, because I would have to use a public charger.

I again thank the Net Zero, Energy and Transport Committee and its clerks. Mr Mountain has occasionally growled at me about the expedited timescale for scrutiny at stage 1, but I appreciate what he and the clerks have done to get the bill to this point.

There has been much mention of the timing of the climate change plan. I sent a letter to the committee in which I outlined that, if I got the advice from the Climate Change Committee by the end of March, I could deliver a draft plan before the summer recess. Along with my officials, I am looking at how we might work on an amendment that could specify a timescale for how many weeks it would be, once that advice has been given, until we could introduce secondary legislation.

Monica Lennon: We have discussed this issue in committee, but has the cabinet secretary given further consideration to being as open as possible with Parliament about the work that is done on the climate change plan, so that we do not have to wait until the CCC advice is received?

Gillian Martin: The more the issue is talked about, the more convinced I am that my officials and I must have an open-book approach as much as possible. As I told Monica Lennon in committee, I am not going to put forward a draft of a draft; I would not like to issue something that is unfinished. However, in the spirit of what I said about trying to take the politics out of the situation, in order for all of us to make decisions about whatever the CCC's advice on targets is, we need to have a big map of all the potential options in all the sectors that could be taken to get us there, and we need to have a grown-up, adult conversation about what that would mean for the people of Scotland, for budgets and for us as a Parliament. That would mean that, if members sign up to the targets, they will have done so having looked at that suite of options and knowing what could be in the climate change plan.

Sarah Boyack: I mentioned the principle of having a statement in Parliament. That would mean that the Government could get the Climate Change Committee's report and, before every policy action had been signed off, we could at least have a statement from the cabinet secretary about the direction of travel on how the Government might respond. That way, the Government could generate support across the chamber.

Gillian Martin: I am completely open to that. We must have transparency. We need to have an honest discussion about the choices that are in front of us. Those choices are not only for the Government; they are choices for the Parliament. As I have said, today, we are at the first stage of a bill that will provide for 20 years' worth of carbon budgets. Over those 20 years, many people with "Net Zero" in their title will be stood where I am standing now.

Sarah Boyack mentioned the cost benefit proposal. We must have the costs that would be associated with certain actions. Many members, including Bob Doris, have made the point that Government money alone will not do it—Government money will need to leverage in private investment. As Maurice Golden said, decisions will have to be made by the people from whom we procure. We need to have a lot more in place to make sure that those as far down the supply chain as possible act in the right way. Consumers and people need to ask of everyone

with whom they interact in relation to what they buy and the services that they get what the associated emissions are and what they are doing to drive down their emissions.

A few members mentioned alignment with the UK. There are pros and cons of that approach, but I do not think that there is any settled view on or definitive advantage to alignment. I still want to have a five-year carbon budget, starting from 2025, so that we can have consecutive five-year carbon budgets right up to 2045. I do not want to have a two-year one, then a three-year one, or a seven-year one and a five-year one, ending with a three-year one.

The Presiding Officer: Please conclude, cabinet secretary.

Gillian Martin: I had so much more to say, but I have taken quite a lot of interventions.

I will end where I started. Once the bill is passed, I will work with anyone on the climate change plan. I thank everyone for their contributions today and hope that everyone will vote for the bill at stage 1.

The Presiding Officer: That concludes the debate on the Climate Change (Emissions Reduction Targets) (Scotland) Bill at stage 1.

Decision Time

17:30

The Presiding Officer (Alison Johnstone): There is one question to be put as a result of today's business. The question is, that motion S6M-14836, in the name of Gillian Martin, on the Climate Change (Emissions Reduction Targets) (Scotland) Bill at stage 1, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

There will be a short suspension to allow members to access the digital voting system.

17:31

Meeting suspended.

17:34

On resuming—

The Presiding Officer: We move to the vote on motion S6M-14836.

The vote is closed.

I call Clare Adamson for a point of order.

Clare Adamson (Motherwell and Wishaw) (SNP): On a point of order, Presiding Officer. My app has now refreshed and I believe that my vote has been recorded. Thank you.

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

For

Adam, George (Paisley) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Con)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burnett, Alexander (Aberdeenshire West) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Lab)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)

FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gallacher, Meghan (Central Scotland) (Con)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
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)
Mountain, Edward (Highlands and Islands) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Regan, Ash (Edinburgh Eastern) (Alba)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
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)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Abstentions

Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Greer, Ross (West Scotland) (Green)
Harvie, Patrick (Glasgow) (Green)
Mackay, Gillian (Central Scotland) (Green)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)

The Presiding Officer: The result of the division on motion S6M-14836, in the name of Gillian Martin, on the Climate Change (Emissions Reduction Targets) (Scotland) Bill at stage 1, is: For 94, Against 0, Abstentions 7.

Motion agreed to,

That the Parliament agrees to the general principles of the Climate Change (Emissions Reduction Targets) (Scotland) Bill.

The Presiding Officer: That concludes decision time.

Meeting closed at 17:36.

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