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Scottish Parliament

Wednesday 19 February 2025

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

Portfolio Question Time

Rural Affairs, Land Reform and Islands

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business is portfolio questions, and the first portfolio is rural affairs, land reform and islands. I remind members who wish to ask a supplementary question to press their request-to-speak buttons during the relevant question.

Land Banking (Highlands and Islands)

1. Emma Roddick (Highlands and Islands) (SNP): To ask the Scottish Government, in relation to its policies on land reform and land use, what discussions the Cabinet Secretary for Rural Affairs, Land Reform and Islands has had with ministerial colleagues regarding any action that can be taken to tackle land banking investment scams in the Highlands and Islands, in light of the reported impact that such scams can have on the right of a community to have more of a say in how the land that they live on is used.

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): There are complexities in responding to financial investment scams in Scotland, given that financial services and consumer redress and enforcement are reserved.

We need to understand the prevalence of such scams. I advise people who have experienced them to contact Advice Direct Scotland for clear, practical advice. It might also be appropriate to report the issue to Police Scotland, where an assessment of any appropriate criminal enforcement action can be made.

In circumstances where land banking investment scams threaten protected sites such as sites of special scientific interest, appropriate enforcement action can be taken by relevant agencies.

More widely, the Scottish Government is committed to ensuring that communities have a say in how their land and assets are used. The "Scottish land rights and responsibilities statement", as revised by the Scottish Government in 2022, sets out that

"There should be meaningful collaboration and community engagement in decisions about land."

Emma Roddick: I thank the cabinet secretary for that answer, which will be appreciated by those who have been in touch with me when I pass it on. My team has recently been dealing with multiple reports of land banking investment scams, including a number that have taken place around the Spean Bridge area. Those scams clearly have not only an impact on those who attempt to invest in the land, but a detrimental effect on local communities, and they contribute to the sense that our land can be sold off in bits to the highest bidder. What wider action is being taken to ensure that local communities and the natural environment are afforded greater protection from such scams?

Mairi Gougeon: First, it is concerning to hear about the prevalence of the scams that Emma Roddick seems to be encountering across the region. As I hope that I was able to outline in my initial response to her, we recognise the serious impact that financial scams of any nature can have on people and the particular impacts that land banking investment scams can have on local communities. I mentioned in my initial response the appropriate avenues through which to seek advice on such scams.

On the specific example that Emma Roddick has mentioned, a number of public bodies are involved in responding to the issue. Parallel activities are being taken forward by NatureScot, Police Scotland, Highland Council and Scottish Forestry to address the situation.

More broadly, the Government agrees that communities should be more involved in decisions that are made about land in their area, which is why we have more options than ever for communities to take ownership of land and assets. We are looking to improve on that and to introduce further measures through our Land Reform (Scotland) Bill.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): A forestry grant scheme that has been developed by EJD Forestry Ltd has been proposed for an area near Morebattle in my constituency. The community is very concerned about EJD Forestry's intention to use the land for carbon credits for corporate entity use. It is also concerned about visual impact, biodiversity loss and the lack of benefit to the community, including jobs. Community views are likely to be disregarded, as they are being disregarded across Scotland right now. Does the cabinet secretary agree with the Scottish National Party policy of the right tree in the right place, or is that yet another broken promise?

Mairi Gougeon: I agree with the right tree in the right place. If Rachael Hamilton wants to follow up with me in more detail on the development that she mentioned, I will be more than happy to look

into the specific points that she has raised. However, such applications normally go through a rigorous process. I would expect there to be community engagement and involvement as part of that process, and I would expect that any potential developer would take the issues that have been raised very seriously. Again, if Rachael Hamilton wants to follow up with me in writing, I will be more than happy to look at the matter.

Rhoda Grant (Highlands and Islands) (Lab): Do such scams not highlight the need to ensure that landowners work in the public interest? Should there not be a test to ensure that those who buy large tracts of Scottish land will act in the public interest, so that such scams cannot take place?

Mairi Gougeon: The member raises an important point. We covered a number of issues in relation to that in detail when I was at the Net Zero, Energy and Transport Committee yesterday for stage 1 consideration of the Land Reform (Scotland) Bill.

Land ownership and land management come with responsibility. We have interim standards in place, including the land rights and responsibilities statement. We are looking to build on that with the proposals in the bill, and of course we will consider all of the evidence from stage 1 to see how we can strengthen and improve it.

The Deputy Presiding Officer: Question 2 was not lodged.

Selective Fishing Gear

3. **Colin Smyth (South Scotland) (Lab):** To ask the Scottish Government what progress it has made on annual reporting of its incentivisation of selective fishing gear and low-impact techniques that the rural affairs secretary committed to commissioning in January 2023. (S6O-04316)

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): No report has been completed to date, but that is because we have been delivering the necessary policy changes to how catch opportunities are distributed. That included the 2024 additional quota consultation, which increased catch opportunities for the non-sector fleet, which comprises vessels predominantly using more selective fishing gear or gear that has a reduced impact on the seabed.

For 2025, we have introduced an initiative whereby vessels can apply for more of the west of Scotland cod quota. That seeks to incentivise the use of selective fishing gear in vessels and the use of fishing techniques that have a reduced impact on the environment.

Colin Smyth: We have not seen the report that the cabinet secretary committed to. The Scottish Government has had those powers for five years, but the United Kingdom Government is making far more progress by allocating all additional quota for a suite of stocks via its incentivisation scheme.

Will the cabinet secretary consider the UK Government's approach? Will she commit to ensuring that all catches made by recipients of the bonus quota will be recorded and accounted for, to allow an understanding of what is reducing bycatches and what is not, in line with the legal duties that are set out in the Fisheries Management Act 1998 and the national marine plan?

Mairi Gougeon: I appreciate that Colin Smyth will be disappointed that the report has not been published yet, but I hope that I have been able to outline that we have focused the resource to develop the policies that will ultimately do what the report seeks to evaluate.

Colin Smyth touched on some of the projects that are happening in England. We are aware of a pilot on community quota management that is taking place in Cornwall, which is taking advantage of the involvement of the Cornish Fish Producers Organisation and has established quota management responsibilities.

Various approaches are happening elsewhere that we could potentially consider in Scotland, but we have to clarify what the goals of any pilot might be. Anything that we look to implement and the actions that we undertake now are, of course, in line with the responsibilities that are set out in the 1998 act.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Encouraging innovation and incentivising specific techniques and gear requires investment. Based on the European maritime and fisheries fund budget for 2021 to 2027 and on Scotland's sea area, our funding share should have been about £62 million per annum, but our fishers were short changed by the UK Tory Government. Has the cabinet secretary had any indication that the new UK Government will rectify the situation, or will it be more of the same from lacklustre Labour for Scotland's fishers, i.e. no positive change?

The Deputy Presiding Officer: Ms Whitham, I remind you that nicknames are not permitted in discourse in the chamber.

Mairi Gougeon: I thank Elena Whitham for raising that important point. Unfortunately, I cannot offer the assurance that she seeks that the Treasury is thinking again about the issue, despite numerous attempts by us to ask the UK Government to reconsider its allocation methodology more broadly, especially in relation

to the recent announcements on the UK Government budget.

Previously, we had seven-year certainty in our fisheries and marine funding and we received our fair share of the funding when we were members of the EU. However, since we left, we have received an annual allocation of £14 million for the marine fund Scotland.

We can look at some relevant comparisons. Denmark, which has a smaller marine area and a smaller overall country size than Scotland, receives £25 million equivalent. Therefore, we are not receiving our fair share, and we will continue to press the UK Government for resolution.

Tim Eagle (Highlands and Islands) (Con): I slightly disagree with that, because the Scottish Government has made cuts within the budget. We can talk about what comes from elsewhere, but it is also important to talk about what the cabinet secretary delivers here in Scotland.

What data do we collect in Scotland on the use of the right type of fishing gear and techniques? What further measures could the cabinet secretary put in place to ensure that we are moving towards having the most sustainable fisheries that we can?

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

Mairi Gougeon: I have to address an important point there. Tim Eagle talks about cuts to the budget, but we have not cut. We have passed on in full our allocation from the UK Government. Again, there has been £14 million for the marine fund Scotland, and the marine directorate has an increase in its budget for the coming year, so I do not know where some of that is coming from.

On the part of Tim Eagle's question about encouraging sustainable fishing and the use of gear, we want to incentivise and support that through our marine fund Scotland. I am more than happy to follow up in more detail with Tim Eagle on the other specific points that he raises.

The Deputy Presiding Officer: Question 4 has been withdrawn.

Ferry Services (Arran)

5. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government, as part of the cross-government co-ordination on islands, including connectivity, what discussions the rural affairs secretary has had with ministerial colleagues regarding support in the draft budget 2025-26 to improve ferry services to Arran. (S6O-04318)

The Cabinet Secretary for Transport (Fiona Hyslop): I reassure Mr Gibson that the Cabinet Secretary for Rural Affairs, Land Reform and

Islands discusses those matters regularly with me and colleagues. She is very aware that we intend to invest more than £530 million in the coming year to support and enhance ferry services, including for Arran.

I want to make members aware that work on the Ardrossan harbour business case has been expanded to explore alternative options. I have instructed Transport Scotland and Caledonian Maritime Assets Ltd to progress discussions around the Scottish Government's potential purchase of Ardrossan harbour. That would of course require a fair negotiated settlement and due diligence to be completed but makes clear the Government's commitment to the future of Ardrossan harbour. I confirm that funding for a potential purchase of Ardrossan harbour forms part of the 2025-26 Scottish Government budget.

Kenneth Gibson: I thank the cabinet secretary for her reply and warmly welcome the confirmation that the Scottish Government is actively pursuing the purchase of Ardrossan harbour. Many of the issues that have plagued progress on the redevelopment project stem from private ownership of the port, Brodick's redevelopment having been completed seven years ago. The cabinet secretary is to be congratulated on breaking through the logjam to undo the damage that has been caused by Tory privatisation, but can she say when a final agreement with Peel Ports is likely to conclude and when we might finally see shovels in the ground at Ardrossan?

Fiona Hyslop: Mr Gibson might be aware, and should be aware, that I would not want to say anything about timescales or conclusions that would cause an issue with the on-going negotiations, which are being conducted in good faith. However, I assure him that I and the Scottish Government are committed to Ardrossan harbour. Kenny Gibson, as the constituency MSP, has been formidable in pressing the Scottish Government to ensure that we make progress. I, like everyone, would have liked things to have happened sooner than they have done. We are obviously still some way off in relation to what the investment results will provide and the timescale for that, but I reassure him that support and funding for the purchase is available in the 2025-26 budget.

Jamie Greene (West Scotland) (Con): The Scottish Government's ears must have been burning this morning, because the front page of the *Ardrossan & Saltcoats Herald* is on precisely that issue, with the headline of "Missing: have you seen our ferries?". It does not really matter who owns the port, because this Government promised to upgrade it seven years ago. In fact, the former First Minister himself, Humza Yousaf, promised to upgrade it. Irrespective of the negotiations with

Peel Ports, why does the Government not just get on with what it promised?

Fiona Hyslop: It is clear that ownership of the port does matter. Jamie Greene will be aware that it was his party that privatised ports some time ago. He will also be aware of the subsidy control measures that, again, were brought in by his Government and which restrict the amount and percentage of funds that are required. He will know that the deterioration of the port will require more funding than was originally proposed.

The on-going discussions will, I hope, reach a conclusion sooner rather than later, but I cannot give a date for that. However, I can reassure Jamie Greene that I treat the issue as a priority, as I have always done as Minister for Transport and now Cabinet Secretary for Transport. Breaking a logjam to allow investment is something that I hope he will welcome and vote for.

Katy Clark (West Scotland) (Lab): I welcome the cabinet secretary's announcement today. As she is well aware, it was agreed seven years ago that Ardrossan would continue as the main port to Arran, and it has been clear for a number of years that Peel Ports, as the owner, seems to be the obstacle. Labour in North Ayrshire has been calling for municipal ownership or a form of public ownership in order to break the logjam.

Has the cabinet secretary now come to the conclusion that it will not be possible to conclude a deal with Peel, or is she continuing to consider that?

Fiona Hyslop: I can reassure Katy Clark that discussions have been conducted in good faith, which is required. As she will understand, discussions on purchase can take place only with two willing partners, and I am pleased that there are on-going discussions in good faith. I had asked my officials to initiate those discussions to ensure that we had a different option from one that was, for the legal reasons that I set out, becoming increasingly complex and difficult.

I am pleased that we have the opportunity, should negotiations result in a successful conclusion, to purchase the port. As I have clearly set out, the funding for that is available in the 2025-26 budget, and I would encourage Katy Clark to support that.

Dairy Sector (Support)

6. Craig Hoy (South Scotland) (Con): To ask the Scottish Government how it plans to support the Scottish dairy sector. (S6O-04319)

The Minister for Agriculture and Connectivity (Jim Fairlie): The Scottish Government supports the Scottish dairy sector and Scottish agriculture, and will continue to do so. Last year alone, we

paid out £414.8 million through the basic payment scheme and the greening and young farmers payments schemes, with a total of just under £34 million in payments that were made specifically to dairy farmers.

We have also provided grant funding for the Scottish dairy growth board to promote growth in the sector since its formation in 2014; that includes £85,000 of grant funding in this financial year. In addition, we continue to fund the Scottish Dairy Hub—including with £50,000 this year—which offers free advice and information to Scotland's dairy farmers.

Craig Hoy: The minister is clearly not doing enough because, over the past decade, the Scottish milking herd has decreased by 24 per cent, according to the Scottish Dairy Cattle Association. My region of South Scotland saw the biggest decrease, with Ayrshire and then Dumfriesshire being the worst-affected areas, as a result of increased costs, more complex red tape and now a cruel family-farm tax that has been imposed by the United Kingdom Labour Government.

How does the Government intend to further support dairy farmers? Will it look at helping to support new routes to market and increase domestic processing capacity to provide a long-term future for this vitally important sector?

Jim Fairlie: I absolutely dispute Craig Hoy's point that we are not doing enough, and his point on numbers, as the fact is that dairy cow numbers actually went up last year.

With regard to the support that the Scottish Government provides, the Scottish dairy growth board was set up by Scottish ministers in support of the necessary co-ordination and collaboration that would be required to implement the dairy sector growth strategy, "Ambition 2025".

There are a number of other issues that I will not take up time to cover just now, but I am happy to write to Craig Hoy to give him details of what those are. We are actively supporting the dairy sector in Scotland right now.

Beatrice Wishart (Shetland Islands) (LD): Shetland has only two dairy herds left that supply local milk. Additional milk supplies are imported and, when the ferry does not run, there is increased demand for local milk. With fluctuating demand, and given the challenges of the island dairy sector, how can the Scottish Government support dairy businesses to ensure that local milk will still be available?

Jim Fairlie: As I said to Craig Hoy, the Scottish Government is undertaking a number of initiatives to continue to support dairy production. I understand the particular difficulties that exist in

Shetland, and I am happy to have a conversation with Beatrice Wishart as to what more we can do to help in that regard.

Inheritance Tax (Farmers)

7. Roz McCall (Mid Scotland and Fife) (Con): To ask the Scottish Government whether it will provide an update on what action it can take to challenge the United Kingdom Government's inheritance tax changes for farmers. (S6O-04320)

The Minister for Agriculture and Connectivity (Jim Fairlie): We have raised the issue with the United Kingdom Government on a number of occasions, most recently in a letter of 6 February to the Chief Secretary to the Treasury, and we will continue to engage with it in that regard.

Our position remains that the changes to inheritance tax should be paused and an immediate review carried out. The UK Government must also urgently commit to undertake and publish full impact assessments on the impacts that the changes are making in Scotland. The issue demonstrates yet again that it would be far better to have inheritance tax devolved to the Parliament in Scotland.

Roz McCall: Farming families are not just in our rural communities—they are our rural communities, and no more so than in Mid Scotland and Fife, where farms of all sizes contribute hugely to economic stability and sustain communities the length and breadth of the region.

A delegation from the National Farmers' Union, the Tenant Farmers Association and the Country Land and Business Association met the UK Government this week. A member of the delegation described the response of ministers as "deaf to what we were trying to say",

and added:

"I think we all came out slightly with boiling blood about it."

How can the Scottish Government get a different outcome to its negotiations? Does the minister believe that the UK Government is deaf to the concerns of our rural communities?

Jim Fairlie: I absolutely agree with everything that Roz McCall has said. We can continue to put on the pressure, but the absolute best result that we could get would be for Scotland to be an independent country so that we could make such decisions in Scotland.

George Adam (Paisley) (SNP): Would it not be just as well to ask the Scottish Government to control the weather or the tide? Is it not the case that taxation is clearly reserved to Westminster under schedule 5 to the Scotland Act 1998, which is a situation that the Scottish National Party has

sought to fix, while Labour and the Tories have ignored it? Does the minister agree that, given the facts, the question is in bad faith, with the unionist parties pretending to champion rural Scotland, while Westminster neglects our farmers?

Jim Fairlie: We will take every opportunity that we can to challenge the UK Government's inheritance tax changes. We have consistently said that further tax powers should be devolved to the Scottish Parliament, particularly when we have situations such as this. I absolutely agree with what George Adam has said. Scotland should be an independent country so that we can make those decisions here.

The Deputy Presiding Officer: James Dornan joins us remotely.

Food and Drink Sector (Support)

8. James Dornan (Glasgow Cathcart) (SNP): To ask the Scottish Government how it is working to support Scotland's food and drink sector, both domestically and internationally. (S6O-04321)

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): Scotland's food and drink sector is a £15 billion industry that is revered not just at home but the world over. Just last week, we sponsored the prestigious Michelin awards in Glasgow, where Scotland was able to showcase the very best of the sector to an international audience at the Kelvingrove art gallery and museum. More generally, we provided more than £10 million between 2023 and 2025 to support the delivery of Scotland's food and drink strategy, "Sustaining Scotland. Supplying the World". Since 2014, we have provided more than £7 million towards the Scotland food and drink export plan to help to exploit the most significant opportunities for Scotland.

James Dornan: According to January's trade modelling report, Scottish exports could be decreased by 7.2 per cent, or £3 billion, compared with under continued European Union membership, with the agrifood sector hardest hit. Scotland being dragged out of the EU against its will was not only an affront to democracy; it has been hugely damaging to the economy and jobs. What data and modelling does the Scottish Government possess on the most recent impacts on Scotland's food and drink sectors of Brexit and Labour's lack of urgency to make any effort to fix it?

Mairi Gougeon: We continue to monitor and gather the data. As James Dornan has outlined, the food and drink sector has undoubtedly borne the brunt of Brexit, because it has disrupted our supply chains and created new trade barriers, and it has driven up food prices, which we have all seen.

There has also been a wider impact. For example, the value of our food imports from the EU has fallen by 13 per cent from 2019. Fruit and vegetable imports are down 51 per cent, and fish and seafood imports are down 67 per cent. The impact has also gone the other way in relation to our exports, with a 45 per cent fall in the value of our fruit and vegetable exports between 2019 and 2023.

Notwithstanding all that, we continue to do all that we can to support our wider food and drink sector, because it is such an important linchpin for our economy. We will continue to support it into the future.

The Deputy Presiding Officer: I will take a couple of supplementary questions, but they will need to be brief, as will the responses.

Finlay Carson (Galloway and West Dumfries) (Con): Dairy is a major contributor to the food and drink industry. The dairy sector must not be compromised; it must be able to grow and to deliver food security and net zero. There is an area in Dumfries and Galloway that has the biggest potential in the world to produce net zero milk with no embedded water. Whatever the decision on the national park will be, will the minister protect south-west dairy farming as a national asset?

Mairi Gougeon: Absolutely. I agree with Finlay Carson on that. We are agreeing with the Tories on quite a number of points today, especially in recognition of the importance of our dairy sector in the south of Scotland.

Finlay Carson will be aware that the consultation on the national park closed on 14 February. We will analyse the results of that and look at it quite closely. Right from the start, I have always been keen to emphasise that, if a proposal were to go ahead, it must recognise the nature that is so unique to Galloway, which is so important for agriculture in our country. I offer Finlay Carson the assurance that we recognise the importance of our dairy sector, and particularly how important it is in the south of Scotland.

The Deputy Presiding Officer: We have strayed a little from the substantive question. Let us see whether we can get back.

Mercedes Villalba (North East Scotland) (Lab): According to NatureScot, an objective of deer management is to provide

“a valuable and sustainable food source”.

It is therefore welcome news that, on Jura, Argyll and Bute Council has announced a new initiative to put wild venison on the school menu. What action is the Scottish Government taking to normalise the consumption of venison in Scotland

and to bring to Scotland's food supply chain more of the culled deer?

The Deputy Presiding Officer: Please be as brief as possible, cabinet secretary.

Mairi Gougeon: Mercedes Villalba has raised an important point. The Minister for Agriculture and Connectivity is actively working on that, because we know that we can do more. We have a venison strategy in place, and we are always looking at how we can enhance and increase the domestic consumption of venison.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): On a point of order, Presiding Officer. I seek your advice. We all want there to be factual and correct records in the *Official Report*. Jim Fairlie stated that Scottish dairy numbers have risen, but my colleague Craig Hoy said in good faith that the Scottish Dairy Cattle Association has said that, over the past 10 years, those numbers have fallen by 24 per cent. Through the *Official Report*, could the minister make reference to the figures that he is talking about, so that we can all support the dairy industry?

The Deputy Presiding Officer: Thank you, Ms Hamilton, but I think that you know that that is not a point of order. You have made your point but you have reduced the time that is available for questions on the next portfolio, which is health and social care. We will have a brief pause to allow members on the front benches to change.

Health and Social Care

14:26

The Deputy Presiding Officer: The next portfolio is health and social care. I remind members who wish to ask a supplementary question to press their request-to-speak buttons during the relevant question. There is an awful lot of interest in asking supplementary questions, so I will require brevity in both those and the responses.

“Disclosure: Kids on the Psychiatric Ward”

1. **Meghan Gallacher (Central Scotland) (Con):** To ask the Scottish Government what its response is to the recent programme, “Disclosure: Kids on the Psychiatric Ward”, which features Skye house in NHS Greater Glasgow and Clyde. (S6O-04322)

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): The care and treatment of young people as described in the programme are completely and wholly unacceptable. When our most vulnerable and unwell young people come forward and ask for

help for their mental health, we owe them the highest standard of care and compassion. The accounts that were given by those brave young people and their families were truly harrowing. We must do everything that we can to ensure that patients are treated with the care and respect that they deserve.

NHS Greater Glasgow and Clyde has given an assurance that standards have improved significantly since the events that were described. It has initiated internal and external reviews to ensure the quality of care.

At the national level, I have asked Healthcare Improvement Scotland and the Mental Welfare Commission for Scotland to conduct joint visits to all adolescent and child in-patient units, to provide further assurance and to make recommendations for improvements and future scrutiny.

Meghan Gallacher: Over the past few months, I have been working with a family regarding their daughter, Harmony. The family told me that their daughter was illegally sectioned and brought to Skye house on 17 October 2022.

Harmony was given the wrong dosage of medication. She was restrained, taken from her family—who were managing her mental health concerns—and put into Skye house, where she was subjected to abuse and neglectful care. The abuse and cruelty that were shown in the documentary lay bare the institutional crisis at Skye house. Those young women were children—children who needed our care and support.

Harmony's parents have not stopped fighting for their daughter, acting to correct her medical records and challenging those who have failed to care for her. They attempted several times to contact the Scottish Government—including the Cabinet Secretary for Health and Social Care, Neil Gray, and the Minister for Social Care, Mental Wellbeing and Sport, Maree Todd—to make it aware of what was happening at Skye house.

Why has the Government—I am looking at both the cabinet secretary and the minister—ignored the family? Will the cabinet secretary respond to the letter that I sent requesting a meeting with the family? Will the Scottish Government step in to ensure that such abuse and neglect will never happen again at such an establishment?

Maree Todd: On all those questions, I can assure Meghan Gallacher that the family will receive an answer to the latest request. The family have had numerous responses from the Government. The latest response is sitting on my desk, and I am content to release it as soon as possible after we speak.

I am certainly content to meet the family. They will understand that it is very difficult for me to

intervene in individual cases, but in this case, it is very important that I meet the family and hear their experience in order to shape improvements in the service.

The Deputy Presiding Officer: I have a number of supplementaries. I will try to get them all in, but I will need to be spared some of the preamble; I ask members to limit themselves to a question.

Bill Kidd (Glasgow Anniesland) (SNP): The experiences of the brave young people who told their stories in the "Disclosure" programme must be taken seriously, and they should be commended for coming forward.

What conversations are taking place among the Scottish Government, NHS Greater Glasgow and Clyde and the Mental Welfare Commission for Scotland to ensure a thorough investigation of the incidents and to provide reassurance and closure to the young people and families affected?

Maree Todd: As I have said, like everyone in the chamber, I was absolutely shocked at what I saw in the programme. It was a difficult watch, and I put on record my sincere thanks to the young people and their family members for having the courage to come forward.

Since I was made aware of the allegations in the programme, my officials have been in regular contact with NHS Greater Glasgow and Clyde to seek assurances about current practice and governance. We have received answers to our questions, and we welcome the reviews that it is taking forward. I will monitor the outcome of those reviews closely and, as the board would expect, I will hold it to account. To that end, the cabinet secretary and I will meet NHS Greater Glasgow and Clyde as soon as possible to seek direct assurance. We will also meet NHS Lothian and NHS Tayside, which host the other two adolescent units in Scotland.

If you will indulge me, Deputy Presiding Officer, there is so much interest in the issue that I would like to say a little bit more. As the minister, I want to be assured that standards are high across all our in-patient units. That is why I have asked Healthcare Improvement Scotland and the Mental Welfare Commission to carry out a series of joint visits to all adolescent in-patient units in Scotland, as well as to the national child in-patient unit. HIS and the commission will use those visits to make recommendations on what is required to ensure the quality and safety of our child and adolescent mental health services in-patient units, both now and into the future.

Paul Sweeney (Glasgow) (Lab): Stobhill hospital has half of all the child and adolescent mental health beds in the country. It is of national

importance, and I welcome the direct oversight that the minister has indicated.

In the documentary, serious allegations were made regarding the routine overuse of intramuscular injections as a way of managing at-risk children. In one case, a young person was restrained 27 times and forcibly injected 37 times in the space of just one month. Will the minister investigate that specific allegation and establish how typical such practice is?

Maree Todd: Absolutely. I assure Paul Sweeney that we will look at all the issues that were raised in the programme and seek assurances that there is improvement and that the highest quality of practice is being conducted in our in-patient services.

Alex Cole-Hamilton (Edinburgh Western) (LD): I welcome what the minister said about oversight, but one of the most troubling revelations in the “Disclosure” documentary was that the Mental Welfare Commission had already visited Skye house on no fewer than six occasions, five of which were announced visits. One of the aspects of concern to Parliament is the fact that the Mental Welfare Commission was not aware of its reach and clearly was not catching the behaviours that were revealed. What more can the Government do to further empower the Mental Welfare Commission so that such things cannot happen again?

Maree Todd: The cabinet secretary and I are meeting both organisations. We are keen to work with them to improve the quality of inspection and scrutiny. Last year, we had a review of inspection and scrutiny, which gave us an indication of some of the improvements that are required in the mental health system as a whole. I will be focused on ensuring that the improvements in child and adolescent mental health services, which are clearly needed, happen as a result of our interventions.

Prescription of Medicinal Cannabis

2. Pauline McNeill (Glasgow) (Lab): To ask the Scottish Government how it plans to encourage the prescription of medicinal cannabis on the national health service for the relief of chronic pain. (S6O-04323)

The Minister for Public Health and Women’s Health (Jenni Minto): Before I start, I recognise the work that Pauline McNeill has carried out in this area.

No cannabis-based products for medicinal use are licensed in the United Kingdom for the treatment of chronic pain, and any prescribing decisions would be for clinicians to make. The evidence base for cannabis-based products for medicinal use in the treatment of chronic pain is

very limited, combined with consistent evidence of adverse effects and/or harms.

I remain very close to this area and continue to engage closely with UK Government ministers on the establishment of trials for cannabis-based products for medicinal use.

Pauline McNeill: Certain cannabis medicines have been legal since 2018, but Bedrolite is not yet licensed. Bedrolite has been a lifesaver, particularly for children with severe types of epilepsy, but if it is not licensed, the NHS will not fund it. A small number of exceptions have been made in England and Northern Ireland for children with conditions for which Bedrolite has been made available. In view of that, why is it impossible to organise cannabis medicine for complex epilepsy through the NHS in Scotland, when it is clear that that has happened in other parts of the UK?

Jenni Minto: I refer to a positive meeting that I had with Pauline McNeill in her capacity as co-convenor of the cross-party group on medical cannabis, along with Tess White. Ms McNeill is correct that there are three cannabis-based products for medicinal use available on the NHS in Scotland to treat specific conditions. As a result of the meeting that I had with her and Ms White, we wrote to the UK Government to see whether we could extend the trials. I have had a response back, which I believe that I shared with Ms McNeill. It is an area that I am keeping a close eye on and I will continue to have communications with our chief pharmaceutical officer.

Spinal Muscular Atrophy Screening

3. Bob Doris (Glasgow Maryhill and Springburn) (SNP): To ask the Scottish Government what its position is on using the blood spot test given to newborn babies to screen for spinal muscular atrophy to support early diagnosis and effective treatment of babies born with the condition. (S6O-04324)

The Minister for Public Health and Women’s Health (Jenni Minto): Scotland’s screening policy relies on recommendations made by the UK National Screening Committee, an independent scientific body that provides advice on screening policy to all four United Kingdom nations. To date, the National Screening Committee has not recommended spinal muscular atrophy, or SMA, screening through the existing blood spot test. However, I am aware that the committee is currently considering the matter. I hope that Mr Doris can rest assured that we are following developments closely, and that we, along with the organisations that are responsible for screening, are already considering how to implement SMA screening as quickly and effectively as possible should a recommendation be made.

Bob Doris: Had my constituent, Baby Grace, been screened for SMA at birth, early treatment would have been transformational. Delayed diagnosis and treatment drastically reduce the beneficial impact of treatment. Consequently, Grace will now have substantial lifelong care needs. It did not have to be that way. The cabinet secretary previously told me that the focus is to plan for SMA screening so that we can act when the time is right. Given that the benefits of screening for SMA are both transformational and crystal clear, and that it appears to be a case of when and not if that will happen—despite the sluggish pace of the UK National Screening Committee, which I am dissatisfied with—when can we just get on with screening and change the lives of babies like my constituent young Grace?

Jenni Minto: My heart goes out to Baby Grace and her family, and to other families in a similar situation. I absolutely understand the benefits of early diagnosis. I take on board the points that Mr Doris has made, and I know that he has met with the cabinet secretary, who would be happy—as would I—to meet with him again. I am content to write to the NSC to understand the timeline for when its decisions will be made, which I appreciate is cold comfort to families who are already in this situation. I can confirm that all four UK chief medical officers are aware of the NSC's plans and rationale for the review. I emphasise again that we are moving towards a way forward for implementation if the NSC makes that determination.

Jackie Baillie (Dumbarton) (Lab): I welcome the minister's comments, but rather than following developments and asking for timelines, what engagement will ministers have with the UK National Screening Committee to ensure that SMA screening is agreed?

Jenni Minto: That is an engagement that we are continuing to have, both through the cabinet secretary and through me.

Neurodevelopmental and Speech and Language Therapy Assessments

4. **Mark Griffin (Central Scotland) (Lab):** To ask the Scottish Government what the current average waiting times are for a neurodevelopmental assessment and a speech and language therapy assessment for children and young people in NHS Lanarkshire and in Scotland as a whole. (S6O-04325)

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): We do not currently collect waiting times data for neurodevelopmental assessments or for speech and language therapy. I recognise that neurodevelopmental assessment can be useful, but our primary focus is on improving the support

that is available for children, young people and their families. I expect the national health service and children's services to work together to implement the 2021 neurodevelopmental specification standards, which align with our getting it right for every child approach. Those standards highlight that support for children and young people should be made available on the basis of need, regardless of a formal diagnosis. Long waits for neurodevelopmental support are unacceptable.

Mark Griffin: I urge the minister to take a look at the waiting times. This time last year, the then First Minister told members in the chamber that he would personally look into the case of Cody Morrow, a then three-year-old from Bellshill, who has spent his short life waiting for NHS assessment and treatment. Cody is another year into his now four-year wait for a neurological development assessment. His mum is physically and mentally exhausted and she does not know where to turn. Why does four-year-old Cody need to wait until he is seven not to begin treatment, but just to get an assessment?

Maree Todd: I absolutely appreciate the value of assessment and we are keen to explore that further as part of the system improvement, but many children and young people who present looking for assessment do not meet diagnostic criteria for a neurodevelopmental condition, although they would still benefit from support. Also, their needs change over time. In line with GIRFEC, we believe that the focus should be on identifying needs and ensuring that children, young people and their families receive the support and the appropriate adjustments that they require.

Jackie Dunbar (Aberdeen Donside) (SNP): It is vital that every child has the best possible start in life and that any developmental concerns are identified early. Will the minister outline what steps the Scottish Government is taking to support families and young people to ensure that assessment times are reduced?

Maree Todd: I agree with my colleague that it is vital that children receive support for any neurodevelopmental concerns as soon as possible. That is why our national neurodevelopmental specification places on NHS and children's services an expectation that they will work together to provide the support that children and families require at the point at which they need it and not be dependent on a formal diagnosis. That support might include assessment, diagnosis or other interventions.

Fife Health and Social Care Partnership

5. **Annabelle Ewing (Cowdenbeath) (SNP):** To ask the Scottish Government when it last met the

director of the Fife health and social care partnership, and what was discussed. (S6O-04326)

The Cabinet Secretary for Health and Social Care (Neil Gray): Ministers and officials regularly meet representatives from health and social care partnerships, including the one in Fife. I met Lynne Garvey, Fife HSCP's director of health and social care, when I visited the Queen Margaret hospital in Dunfermline this morning to see its front-line discharge-to-assess work, which the British Red Cross is supporting.

Annabelle Ewing: The cabinet secretary will be aware that I have written to him on the serious matters arising in the Sandie Peggie case, and I await his detailed response. This afternoon, I want to ask about another serious matter.

Given the projected overspend on the part of Fife health and social care partnership of at least £34.8 million, with significant cuts to vital services being planned, is the cabinet secretary confident that internal control systems in the partnership and in NHS Fife are robust and reliable? If so, on what basis is he confident about that? Where does he expect NHS Fife to find the £21 million or so to bail out the partnership, given that NHS Fife itself is reportedly in the red to the tune of £55 million?

Neil Gray: I am aware that the partnership has agreed a recovery plan and I understand that an agreement might be implemented requiring the remaining overspend to be funded by NHS Fife and Fife Council. The Scottish Government regularly meets NHS Fife to discuss the board's financial performance, including in monthly conversations to discuss forecasts and risks. NHS Fife has outlined its continued efforts to deliver recurrent savings and to work in collaboration with its partnerships to reduce the projected overspend. I will be meeting the leader of Fife Council and the chair of the Fife integration joint board to discuss pressures, good practice and transformational change.

The Deputy Presiding Officer: I have a number of requests for supplementaries. I will try to get in as many of them as possible. It would be helpful if they were as brief as possible.

Murdo Fraser (Mid Scotland and Fife) (Con): When the cabinet secretary meets Fife health and social care partnership, will he ask it to assure him that it is complying with the law in relation to the provision of single-sex facilities for its female members of staff?

Neil Gray: Obviously, I expect all public bodies to comply with the law to ensure that the rights of all their staff members are being complied with.

Roz McCall (Mid Scotland and Fife) (Con): The cabinet secretary will be aware of the cuts to

services by Fife health and social care partnership, which is partially funded by NHS Fife. Given that NHS Fife is spending astronomical sums of money on a dismissal case involving a staff member who raised concerns about basic rights to a single-sex changing facility, what will the cabinet secretary do to ensure that financial mismanagement does not affect care for residents in Fife?

Neil Gray: Clearly, we work with NHS Fife and the health and social care partnership, as we do with health boards across the country, to make sure that the resource that we are committing—it is £21.7 billion in the budget for the next financial year—addresses the issues that we face in the health service and results in improvements. I expect all boards to come forward with plans in that regard.

Douglas Ross (Highlands and Islands) (Con): This morning, the cabinet secretary said that he could not comment on the Sandie Peggie case because it is a live employment tribunal but, in the same interview, he went on to say that he has full confidence in the board of NHS Fife, which is the other party in the employment tribunal. Can Neil Gray tell us why he is backing the bureaucrats on the board and not a nurse with 30 years' service to the NHS?

Neil Gray: I am not going to provide any further comment on a live tribunal process. It is important that we support the work of NHS Fife in delivering for the citizens of Fife and improving its health and social care services.

Stephen Kerr (Central Scotland) (Con): The cabinet secretary has a legal duty to uphold the provisions of the Equality Act 2010. In June 2024, he received a letter from Sandie Peggie's solicitor, Miss Gribbon, highlighting issues in connection with her case. I repeat that the cabinet secretary has a legal duty to uphold those protections. Did he at any time challenge NHS Fife's actions and seek assurances of full compliance with the law?

Neil Gray: The correspondence that Stephen Kerr refers to was responded to by officials, who gave guidance as to the measures that could be taken. I am not going to comment further on a live tribunal case. It is important that that process is allowed to conclude and that the due process is allowed to continue.

Fergus Ewing (Inverness and Nairn) (SNP): When will the Scottish Government bring forward a full debate on the provision of safe spaces for women, especially those who are required to disrobe in connection with their work, such as health employees?

Neil Gray: I have already set out that I expect all public bodies, including health boards, to comply with legislation and the guidance that is in

place to ensure that all employees can safely go about their work and do so in a way that meets their needs.

University Hospital Wishaw

6. Clare Adamson (Motherwell and Wishaw) (SNP): To ask the Scottish Government how it is supporting front-line staff at University hospital Wishaw. (S6O-04327)

The Cabinet Secretary for Health and Social Care (Neil Gray): The Scottish Government is supporting front-line staff throughout the health service through funding of more than £2.5 million annually to support front-line staff wellbeing. That funding provides our workforce with access to psychological interventions and therapies; self-service resources through the national wellbeing hub; and the national wellbeing helpline, which is delivered by NHS 24. Registered staff also have access to confidential mental health services through the workforce specialist service. In addition, the national wellbeing hub offers a range of self-care wellbeing resources and signposting to relevant mental health and support services.

We are aware of the challenges that front-line staff are experiencing and we will continue collaborating with leaders and staff in health and social care and social work to identify and address areas of stress and to explore additional actions to support staff.

Clare Adamson: I have been helping constituents who face delays when they are transported by ambulance to University hospital Wishaw. In one case, a patient waited outside the hospital for seven hours, but the consultant and specialist who they were due to see was at Monklands hospital that evening. I recognise the immense pressure and pay tribute to our health workers, but can the cabinet secretary confirm that ambulance dispatchers are co-ordinating with local Lanarkshire hospitals to avoid unnecessary delays? Will the Scottish Government work with NHS Lanarkshire to review co-ordination between services to ensure that patients are delivered to hospitals on a capacity basis in the first instance?

Neil Gray: I am sorry to hear about the experience of Clare Adamson's constituent. The Scottish Ambulance Service works closely with boards to ensure that patients are transported to the appropriate hospital for their needs. Hospital ambulance liaison officers are instrumental in helping the flow of patients in hospital and minimising the impact of handover delays.

Although we recognise that some patients need ambulances for patient transport for clinical reasons, we are considering other solutions, including working with community transport providers and initiatives such as call before

convey services to ensure that the Ambulance Service responds to those who have the greatest clinical need and that delays at accident and emergency departments are minimised.

The Deputy Presiding Officer: Question 7 was not lodged.

Long Covid

8. Fulton MacGregor (Coatbridge and Chryston) (SNP): To ask the Scottish Government whether it will provide an update on the action that it is taking to support people with long Covid. (S6O-04329)

The Minister for Public Health and Women's Health (Jenni Minto): The 2025-26 budget includes new investment of £4.5 million to deliver new specialist support across the country for long Covid, ME, chronic fatigue and other similar conditions. Additionally, we have commissioned NHS National Services Scotland to operate a long Covid strategic network, which is delivering a programme of virtual educational sessions that are targeted at general practitioners working in Scotland. Those sessions will look at topics including speech and language issues and vocational rehabilitation.

Fulton MacGregor: I know that the minister is aware of my constituent Tracy McMullen and the healthcare support provided to her son Jonathan, who is suffering from long Covid. I thank the minister for her recent response to my letter, but I am advised by Mrs McMullen that there have been no major improvements in Jonathan's case and that persistent symptoms continue to significantly affect both him and his family. The £4.5 million that is contained in the draft budget for specialist support for long Covid is very welcome, but can the minister outline how she thinks that it can be used by health boards to bring tangible benefits to Jonathan and others who are in his situation?

Jenni Minto: I am very sorry to hear of the difficulties that Jonathan and his family continue to experience. I absolutely recognise the role that Mr MacGregor has played in advocating on their behalf.

Listening to those who are living with such conditions is key, and my officials are doing that as part of their on-going work to determine how to allocate the additional £4.5 million that has been announced in the draft budget to deliver new specialist support services across the country for long Covid, ME, chronic fatigue and other similar conditions. Allocation of that resource is subject to the passage of the budget bill, and we continue to ask the Parliament to unite behind the budget so that the funding reaches the people who need it most.

The Deputy Presiding Officer: I appreciate that there is a lot of interest in asking supplementaries, but unfortunately we have already gone beyond the allocated time and we need to move on.

That concludes portfolio questions. There will be a brief pause before the next item of business to allow front-bench members to change positions.

The Promise (Third Oversight Board Report)

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Natalie Don-Innes on the Promise oversight board “Report THREE February 2025”. The minister will take questions at the end of her statement, so there should be no interventions or interruptions.

14:53

The Minister for Children, Young People and The Promise (Natalie Don-Innes): Keeping the Promise is a commitment steadfastly made by this Government. It is a commitment that I hold close to my heart in all that I do as minister, and it is a commitment made unanimously across this chamber. The independent care review told us what has to change, and the oversight board has recognised that the recommendations that were made have not been filed on a shelf or kicked into the long grass. Instead, they have been embedded into the work that we do across ministerial portfolios, departments and the public sector.

Despite the unwelcome distraction of a global pandemic, significant progress has been made, so I agree with the oversight board when it says:

“The journey is behind schedule — but still on course.”

I also agree with the board when it says:

“The destination is clear, and Scotland is heading in the right direction.”

We can keep the Promise that we made to young people in this country, and we will keep it. Two weeks ago marked the fifth anniversary of the Promise being made, which was a point to celebrate what has been achieved so far and provided an opportunity to reflect on what needs to be done.

It is my privilege as the minister to hear at first hand individual stories and experiences. Just this month, I met staff, volunteers and families at Circle in Edinburgh, the Martha’s mummies service in Glasgow and the whole-family wellbeing support hub in South Lanarkshire. This afternoon, I was due to visit the mother and child recovery house in Dundee, which is run by Aberlour. The service provides 24/7 therapeutic and emotional support to stabilise drug and alcohol use. I apologise to the mums and staff at Cowan Grove for having to postpone my visit, but I look forward to arranging another time to meet them soon.

Talking to the children, parents, families, staff and volunteers involved in those fantastic projects provides a clear reminder to ministers that no story

is ever the same. There can be no one-size-fits-all approach. Support and success can mean very different things to different people, and voices must be heard if we want to make real and lasting change. The First Minister made that message clear in the letter that he penned to the care-experienced community in Scotland.

Let me address care-experienced children, young people, adults and families—one and all—to confirm my support and my drive to succeed. Let me also pass on my support to the workforce across Scotland who, on a daily basis, keep delivering in our social work departments, in our schools, in our health and justice services and across so many parts of our lives. I have witnessed the energy and activity under way to bring change, and I thank them for their on-going drive and commitment.

I call on all members across the Parliament to continue to work together. Indeed, delivering the Promise demands that we break down traditional silos, which is what the Government is doing. We have a dedicated Cabinet sub-committee for the Promise, and my ministerial colleagues work closely with me and with one another to bring about the change that we need.

For example, the bairns' hoose commitment involves the Government bringing together the education, health and justice portfolios. Back in January, the Cabinet Secretary for Health and Social Care visited the organisation Circle, which I mentioned earlier, so that he could see at first hand how it is supporting young people and families affected by drug and alcohol use in East Lothian. That is part of the Government's "Grow Your Own Routes" project, backed by £4 million, which is now operating in eight areas.

That illustrates the need for the Promise to be embedded across the Government and to be aligned with the progress report's priority of whole-family support. As "Plan 21-24" said,

"To realise a child's rights, you have to support their family—whether it is one they are born into or not. And all families need support at different times".

Understanding the change that has happened so far is imperative. The further development of "Plan 24-30" can set a clear route map for what needs to be done, by whom and by when, and I welcome the oversight board's encouragement to all stakeholders to engage in the next stage of setting the strategic direction.

Our latest published statistics show that there was a 15.6 per cent reduction in the number of looked-after children between 2020 and 2023. Although that figure tells only part of the story, the recently launched Promise progress framework puts the framework in place to track and review progress and to inform the action that is required

over the next five years. The framework consolidates nearly 50 different streams of national data into one place—the first time that that has happened—and lets us paint a picture of the state of play nationally. The framework means that organisations can contextualise their own progress and use it for their own reporting, to change their processes and, in turn, to change the system.

The system is changing. In August 2023, we introduced the Scottish recommended allowance for kinship and foster carers, bringing the benefit to more than 9,000 families. In June 2024, the Parliament passed the Children (Care and Justice) (Scotland) Bill and ended the placement of children in young offenders institutions in Scotland. Significant steps have been made in introducing the bairns' hoose model, with 10 pathfinder and affiliate test sites up and running, backed by almost £10 million of investment to date.

In education, we are investing £1 billion in the Scottish attainment challenge, including more than £130 million in pupil equity funding in the budget, as well as additional funding to support care-experienced children's and young people's attainment and wellbeing. Since 2021, we have invested £20 million through the Promise partnership fund to support local projects and initiatives.

The Government is committed to a programme of national public sector reform that will support Scotland to move away from crisis intervention, and my colleague Mr McKee led a meeting earlier this week to support the next steps in greater alignment and delivery in public services.

Our commitment to whole-family support is central to that. Since 2022, we have invested more than £110 million through whole family wellbeing funding. I was pleased that, earlier this month, the First Minister announced that an additional £6 million will be allocated to children's services planning partnerships as part of the 2025-26 budget. That increase means that the share of the whole family wellbeing funding that is provided to children's services planning partnerships will rise from £32 million to £38 million in the 2025-26 and 2026-27 financial years.

It is by stepping alongside families early on that we can break the terrible pattern that results in too many children having to live away from home. Every children's services planning partnership has received a share of that funding and has delivered a range of support, including holistic support for parents with mental health or substance abuse issues, welfare rights advice and community-based family support hubs. However, I recognise the calls to action that the oversight board has

identified, and I am pleased to say that further engagement is already under way.

On homelessness, Scotland has the strongest rights across the United Kingdom nations for people experiencing homelessness, and the duties of local authorities and corporate parents to support young people leaving care are set out in legislation. We recognise our role in working alongside partners in implementing the “Improving Care Leavers Housing Pathways” report, and work is progressing on all the recommendations.

On foster care, the contribution that is made by our foster carers and foster families is of the highest value. In November, I launched the next stage of our work to set a vision for the future that is shaped by the voices of children and young people and that prioritises their experiences. Our commitment is not only that foster care provides stability and support but that our foster carers are well equipped, supported and empowered to continue nurturing the children in their care.

The role that kinship carers play must also not be understated. As I have said before in the chamber, this is of particular importance to me personally, as I experienced informal kinship care in my childhood. I am determined to strengthen the support that is available, ensuring that kinship carers have the resources that they need to care for the children in their families. To do that, we have updated the kinship care guidance and have introduced a new kinship care assessment framework to provide clearer and more consistent support for carers and practitioners.

For our young people who are transitioning out of children’s services, we continue to work with staff, The Promise Scotland and key stakeholders to increase the coherence around the package of support that is available, including by continuing to invest in continuing care and aftercare, broader financial and education supports and the introduction of the care leaver payment later this year.

In delivering that change, the importance of the relationship between national and local government is key. The Scottish Government continues to provide £2.8 million to fund the work of The Promise Scotland and to fund a dedicated Promise post in the Convention of Scottish Local Authorities to work across all 32 local authorities to help to build that important link.

The oversight board is clear that there is still a way to go. It recognises that some people, organisations and systems are not yet doing enough, and I second its call to step up, to prioritise and to engage. There is a role for legislation in helping to enable that, and the Scottish Government is actively working to develop the policy and the legal understanding

that are required to prepare a bill for introduction later this year. That is informed by what The Promise Scotland tells us must change and by recent engagement and consultation work on children’s hearings redesign, moving on from care into adulthood, the definition of care experience and the future of foster care.

I am keen to continue that engagement with all stakeholders, particularly the care-experienced community, as the legislative drafting happens and progress is made through Parliament. Although that will provide a substantial step forward in facilitating the next stages of our work, I am conscious that the legislative landscape surrounding the care of children and young people is already wide ranging, and further legislative direction should not add unnecessarily to that. I am conscious that legislative change must be accompanied by the required capacity, resource and finance to ensure the implementation of the legislation.

I do not shy away from the task ahead. We should reflect positively on the progress that we have made, and we should look ahead with optimism. It is important to consider that the oversight board says that we can deliver the promise by 2030, but we must be open and honest about the work that we still have to do. Together, we are working hard towards changes that I believe will have a positive impact for all of Scotland’s care-experienced children and young people, and I look forward to hearing the perspectives of members across the chamber this afternoon.

The Deputy Presiding Officer: The minister will now take questions on the issues raised in her statement. I intend to allow around 20 minutes for questions, after which we need to move on to the next item of business. Members wishing to ask a question should press their request-to-speak buttons if they have not already done so.

Roz McCall (Mid Scotland and Fife) (Con): I thank the minister for advance sight of her statement and for all the points that have been mentioned in it, but the report from the oversight board is saying, “It is not enough.” The report should be a wake-up call for the Scottish Government that we are not on track to deliver the Promise by 2030.

Specifically, the report notes that, in order to keep the Promise, we need

“explicit leadership and drive from Scottish Government and scrutiny bodies to articulate a clear set of principles, outcomes and milestones”

and that that leadership has been severely lacking. There have been shortcomings that have needed urgent attention, including workforce shortages, financial instability for care labourers,

inadequate focus, fragmented services and lack of co-ordination—as I have said before, the list goes on.

I am afraid that the minister's statement will do absolutely nothing to address those issues. Frankly, it does not display the leadership that is needed.

How will the Scottish Government ensure that the cluttered policy landscape that is detailed in the report will be addressed? Secondly, how will progress be measured and data be collected to ensure that progress towards 2030 can be put back on track? Thirdly, how will the Scottish Government work at pace to articulate a clear set of milestones that will guarantee that the Promise is kept?

Natalie Don-Innes: I thank Roz McCall for her questions, but I disagree with her saying that nothing in the statement will help to deliver the Promise. I clearly set out the actions that have been taken and a recognition that we still have a way to go. I accept that we may not be where we wished we would be when the Promise was made in 2020, but as I said in my statement, there has been a pandemic and a cost of living crisis. However, we are in a good position. There has been real leadership and real policy change that will make a real impact on the lives of children and young people.

The member noted issues around the cluttered landscape, which I alluded to in my statement. Work on that is on-going, and it is something that I am very aware of in my thinking around the Promise bill. I have already discussed that with the member, and I am more than happy to continue to do so.

I note the importance of the Promise progress framework and the different factors in it that will help to track progress across the whole landscape, whether at Scottish Government or local authority level. We will track progress in a number of ways. If Roz McCall has other ideas or if there are other areas that she would like to see a focus on, I am more than happy to discuss them with her.

Martin Whitfield (South Scotland) (Lab): I, too, thank the minister for advance sight of her statement. She will be aware that the report clearly states that

“the journey is behind schedule”

and that we are

“not halfway towards”

keeping the Promise. I know that the minister is aware of that.

I have two specific questions. The first comes from the letter from The Promise Scotland, the

Children and Young People's Commissioner Scotland, the Scottish Human Rights Commission and the Equality and Human Rights Commission: when will the Government publish the statutory framework on restraint and seclusion?

The second question is on a more worrying issue, from an imminent danger point of view. On 8 January, when the minister was asked in the chamber about the lack of secure accommodation in Scotland, she responded:

“As I have said, however, there are regular conversations between the Government, partners and heads of secure care to ensure that a situation such as that does not happen.”—[*Official Report*, 8 January 2025; c. 29]

There were no independent secure centre vacancies in Scotland on Tuesday and there are none today. What is the Government going to do about that problem, which is not a hypothetical problem but one that those centres face currently?

Natalie Don-Innes: I thank Martin Whitfield for the important points that he raises.

On secure accommodation policy, I am very disappointed that we are in the place that we are in, and I am sure that the member is aware of that. I am aware of the on-going pressures and I monitor them pretty much on a daily basis. The member will be aware that secure accommodation demand is complex and volatile and that capacity can be extremely tight. Of course, decisions on the placement of children in secure accommodation and the appropriate continuation of placements remain with the relevant decision makers, but I assure the member that every appropriate action is being taken to increase capacity in both the short and long term and that those actions go over and above what I laid out in my statement at the beginning of January, because this is an extremely important matter. I am more than happy to discuss that with the member if he would like that, and to update him, going forward.

Work is under way on restraint. Issues in relation to restraint in different settings came up regularly during the passage of the Children (Care and Justice) (Scotland) Bill, and the matter is being monitored and worked on.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Keeping the Promise will require partners across Scotland to work together. The oversight board's report says that

“local authorities”,

as corporate parents,

“play a critical role.”

How is the Scottish Government working with local government to drive progress?

Natalie Don-Innes: The scale of the work that is required to keep the Promise calls for a cross-

portfolio, cross-department and cross-agency response at both national and local levels. As corporate parents, the Scottish Government, local authorities and all public bodies have a collective responsibility to help to shape lives and provide opportunities for looked-after children with care experience and young people who leave care. We require visibility, transparency and accountability at all levels.

The relationship between local and national Government is key to delivering the required change. Collaboration to develop the Promise progress framework, and engagement through the network of local authority Promise leads and the programme board, including the national leadership group, are good examples of the joint working that is helping to drive progress. The Scottish Government and local government have put in place appropriate structures to monitor and review progress, and we all have a key part to play.

The Scottish Government continues to fund The Promise Scotland and Fiona Duncan in her role as independent strategic adviser. I put on record my thanks to Fiona, Fraser McKinlay and the Promise team for their continued work in their role as a critical ally to Government and bodies across Scotland.

Miles Briggs (Lothian) (Con): It goes without saying that we all want to see the Promise delivered. However, I am sorry to say that the statement does not feel like the words of a Government that is on course to meet the Promise. For example, in it, the Government congratulates itself on homelessness legislation when the fact is that, over the past two years, there has been a 14 per cent increase in the number of care leavers under the age of 25 who have been made homeless or threatened with homelessness. That is a complete failure.

Nowhere in the statement is the national social work agency mentioned, but the agency will be key to delivering the Promise. What is the vision for the national social work agency, and when will the agency be delivered?

Natalie Don-Innes: I have been very clear when I have spoken previously in the chamber about the workforce. The workforce is absolutely key not only to helping us deliver the Promise but in relation to a number of Government priorities. I am very pleased that a national social work agency will be established, as that is absolutely key to supporting our workforce—I am looking at Miles Briggs and I do not know whether he is entirely happy with my answer. I am more than happy to have a further discussion with him on the timelines of the national social work agency and what we think can be achieved by that.

Jackie Dunbar (Aberdeen Donside) (SNP):

Could the minister say any more about how children's services planning partnerships are supporting families alongside third sector organisations? How is the Scottish Government supporting them to carry out that important work?

Natalie Don-Innes: Children's services planning partnerships are absolutely key and play a vital role in supporting families and improving outcomes for children. By shifting investment from reaction to crisis towards early intervention and prevention activity, we can improve outcomes for families across Scotland.

Collaboration is a legal requirement under the Children and Young People (Scotland) Act 2014, which mandates local authorities and health boards to develop joint children's services plans. Those plans must involve key stakeholders, including third sector organisations, many of which are already delivering real change on the ground, to ensure that services are well integrated, proactive and focused on enhancing child wellbeing. That is why—as I have already alluded to—we have prioritised funding to maintain the programme of activity established across children's services planning partnerships and increased it by a further £6 million for 2025-26.

Paul O'Kane (West Scotland) (Lab): The report stresses clearly the importance of the workforce in delivering the Promise, and in particular the pivotal role of social workers. It calls for recommendations to be implemented, including that on the Scottish Government and the Convention of Scottish Local Authorities producing a joint workforce improvement plan, which was due in autumn 2024 and should now be delivered as a matter of urgency. It also says that

"Ways of working should be reviewed to ... drive out duplication and wasted effort."

Given that the latest chief social work officer survey report from Social Work Scotland describes a crisis in local authorities in recruitment and retention, and given the ageing workforce and capacity issues, does the minister agree that social work and the wider workforce are vital in delivering the Promise?

I think that the words of support that the minister gave in her statement were the only mention of the workforce in the entire statement. When will the improvement plan be produced? What action will be undertaken to tackle the issues that are leading to depletion and burnout?

Natalie Don-Innes: I do not think that that was the only reference to the workforce. I put on record a clear thanks to everyone who is involved in such work across Scotland for the priority and commitment that they give to driving forward change. I have stated that the Scottish

Government fully recognises the pressures that the social work workforce is under, and we will work collectively to ensure that children and young people receive the level of care that they deserve.

As I set out in my answer to Miles Briggs, we are clear that a strong and well-supported social work profession is key to delivering the aims that are set out in the independent review of adult social care and the Promise. We are already working collectively with partners to identify different ways to resolve the issues that social work faces, such as the recruitment and retention questions that Mr O'Kane mentioned. As I said, the immediate priority is to focus on wider improvements for the profession through the development of the national social work agency, which the Scottish Government is committed to.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Following on from the issues that Miles Briggs raised, what work has been done in relation to homelessness prevention for our care-experienced young people? We must ensure that corporate parental responsibilities extend to the transition away from care and that young people are not funnelled down the homelessness route when they should be supported by their local authorities into adulthood and sustainable independent living, especially in light of the current housing emergency and the rise in care leavers experiencing homelessness.

Natalie Don-Innes: The Scottish Government's continuing care and aftercare policies help to provide young people with a supported transition from care. Eligible young people can live with their carers until they turn 21 and access support and assistance based on their individual needs.

Following our recent consultation, work is ongoing across the Scottish Government and with stakeholders to ensure that eligible young people continue to benefit from a person-centred support package that enables them to thrive into adulthood. We have not paused or put on hold priority for housing support for young people who are leaving care, and we remain committed to supporting care-experienced young people to flourish.

Following the passage of the Social Security (Amendment) (Scotland) Act 2025, work is continuing across the Scottish Government on the care leaver payment, which will provide a one-off £2,000 payment to young people who are moving on from care. The intention is to help to reduce the financial barriers that they might face as they transition into adulthood.

Gillian Mackay (Central Scotland) (Green): The report from The Promise Scotland says that

"some people, some organisations, and some systems are not yet doing enough, and this risks the country as a whole failing to deliver the promise."

What is the minister doing with the organisations that are not doing enough, and across portfolios, to ensure that individual intransigence in organisations is not risking the Promise as a whole?

Natalie Don-Innes: I agree on the cross-portfolio approach. Keeping the Promise depends on all levels of government. It is important to everyone, and everyone has a responsibility to help to deliver and drive forward that change. My commitment to delivering the Promise is rock solid.

As I set out in my statement, the Government has already taken a number of key actions, and the detailed implementation plan sets out the broad range of activities across ministerial portfolios. That is overseen by the cabinet sub-committee, which ensures that we take the cross-portfolio approach. I have met different ministers to discuss how the Promise meets or intertwines with our respective portfolios, and I will continue to do that.

Willie Rennie (North East Fife) (LD): We have discovered that there are no secure unit beds. The minister was not going to tell us that, and we found out only because Martin Whitfield asked the question. She said that the issue was important, but she did not include it in her statement.

Why has there been no reference to the fact that we are way behind schedule on spending the whole family wellbeing fund? Why has there been no mention of the fact that care-experienced children go from social worker to social worker year after year after year? None of that is mentioned. That is deeply unimpressive. Is the minister surprised that care-experienced people have no confidence in the Government to deliver the Promise?

Natalie Don-Innes: Secure capacity issues were not something that I was going to put in my statement. I am not trying to hide anything; I am very aware that people can view the figures on a daily basis, which is what members have done. I am standing here and I am accountable in relation to that. I have said that I am monitoring the issue on a daily basis, and I am committed in the short and the long term to finding the solutions to the issue. Given what I have previously said to Parliament and the committee, I am very disappointed that we find ourselves in this situation.

I am absolutely committed to the whole family wellbeing approach, which is absolutely key to delivering on the Promise, and we are making very good progress. I understand that children's

services planning partnerships experienced issues with regard to the time that it takes to make such transformational change at local level. However, as I have said, we are invested and we are prioritising that, which can be proven by the extra £6 million that is going to children's services planning partnerships.

The Deputy Presiding Officer: A number of colleagues want to ask questions, so we will need a bit more brevity in questions and in responses, minister.

Bill Kidd (Glasgow Anniesland) (SNP): What steps is the minister taking to ensure that children are empowered, involved and included in the current and future delivery of the Promise?

Natalie Don-Innes: I have made it very clear that the voice of care-experienced children, young people and adults across Scotland is at the heart of the work that is under way and continues to drive the actions that we take. The Scottish Government continues to build that voice through the breadth of consultation and engagement that is undertaken at a national level, and I am grateful to organisations across Scotland that take the time and focus to link into that and lead engagement.

I want to continue to ensure that children and young people feel empowered and included, and I want to ensure that we continue to reach as many young people as possible, including those who might not have engaged before. Bill Kidd, and all members, can be assured that that will continue to be a priority for me and a number of the organisations that have helped to facilitate many of those conversations so far.

Stephen Kerr (Central Scotland) (Con): Willie Rennie is right to be deeply unimpressed with the statement and the answers to our questions, but at least we have learned that there is a new way of saying "failing" without saying "failing", which is to say, "We are behind schedule but still on course." I do not think that that is good enough. The minister talks about embedding the Promise across the Government, but the oversight board states the reality. As Gillian Mackay mentioned, many organisations' systems are not doing enough. Will the minister reply to this question? Who exactly is failing to step up, and what consequences, if any, will they face for that failure?

Natalie Don-Innes: Mr Kerr disagrees with my assumption that we are "failing"—that is not my word—but still on course, but I remind him that the oversight board's report specifically said that the Promise is still deliverable and can still be kept, so I refer him back to the report.

I have been very clear today that I think that everyone in Scotland is accountable for this, because the Promise means something to everyone. There is of course a responsibility at

Government level to show leadership on the issue. I have gone through a number of the areas where we have made positive progress, but there are also responsibilities for local authorities, our third sector and a number of organisations. I encourage them, and I will work with them, so that we can all address the issue together and deliver the Promise by 2030.

Nicola Sturgeon (Glasgow Southside) (SNP): I commend the minister on the continued commitment to the Promise and the significant progress that has been made. However, the oversight board is clear that delivery by 2030 needs increased pace and renewed purpose, so I would like to press her on that point. What in her statement will increase the pace of delivery, rather than simply continue it at a pace that we all agree is not sufficient at this stage?

Natalie Don-Innes: I thank Nicola Sturgeon for that question. I also thank her for her engagement on the issue and for the priority and dedication that she gave to the matter during her time as First Minister. I want to be very clear, as I already have been, that my commitment to delivering the Promise is rock solid, and that I am driven as minister to do the best that I can for all children and young people across Scotland.

One of the key points in my statement was the introduction of a Promise bill later this year, which will be a major step forward in setting the legislative direction. The Promise progress framework, which was developed with COSLA and The Promise Scotland and was published in December, will provide the means to track the outcomes where we want to see change and the indicators that will give us a much clearer picture than we have had to date of what is happening and what needs to go further.

Ash Regan (Edinburgh Eastern) (Alba): The oversight board's third report confirms that there have been systemic failures in child safeguarding, but I am afraid that I am not picking up a sense that there is any recognition of that or of the accountability that is needed from the Government in driving change forward.

In the light of the calls in petition PE1979 for an independent inquiry into the mishandling of child protection and the establishment of a national whistleblowing officer for education and children's services, will the Government commit to ensuring that whistleblowers are properly protected and that public bodies are held accountable for safeguarding failures and not left to mark their own homework?

Natalie Don-Innes: I appreciate that that is a very sensitive issue, which I believe that the member has written to me about previously. I have already met the petitioners to discuss the issue; I

am looking into their calls and concerns, and I will update accordingly following that.

The Deputy Presiding Officer: I apologise to members whom I could not call, as we have to move on to the next item of business.

Powers of the Scottish Parliament

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-16511, in the name of Kate Forbes, on protecting the powers of the Scottish Parliament. I invite those members who wish to speak in the debate to press their request-to-speak buttons.

15:26

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): On 4 July last year, a new Labour United Kingdom Government was elected on a manifesto commitment to “reset” relations with the devolved Governments. Few could fail to welcome that ambition and the chance to turn the page on the disastrous legacy of the previous Conservative Government.

Brexit delivered a double blow to Scotland. First, we were taken out of Europe against the wishes of the majority of Scottish voters, and then, Brexit was used to justify the systematic undermining of the powers of this Parliament—a Parliament for which the people of Scotland voted in a decisive referendum result a quarter of a century ago. Most significantly, that undermining came in the form of the United Kingdom Internal Market Act 2020.

I will briefly remind the Parliament of what the internal market act does. It was passed without the consent of the Scottish Parliament or of any devolved legislature. It introduces far-reaching and unpredictable new constraints on the powers of the Scottish Parliament. It provides UK ministers with an open-ended power effectively to nullify laws that are passed in this chamber. It enables UK ministers effectively to unilaterally alter the competence of the Scottish Parliament and Scottish ministers by allowing currently excluded matters to be caught by what are called “market access principles”.

In that last respect, I will set out the threat. It is a clear possibility, at the very least, that the next UK Government will be a right-wing Administration that is hostile to the national health service funding model. Just this month, the Labour Secretary of State for Health and Social Care said:

“Nigel Farage would introduce an insurance model and charge patients to use the NHS.”

The UK Labour Government itself believes, therefore, that the threat is there to the English NHS.

That is where the internal market act becomes dangerous for Scotland. Schedule 2 to the act

allows a UK minister, at the stroke of a pen, to bring

“healthcare services provided in hospitals”

and

“other healthcare facilities”

in Scotland within “market access principles”. In other words, if healthcare services in England are opened up to much greater private provision, we in this Parliament could be powerless to stop that same process here. The act, therefore, is like a ticking time bomb under Scotland’s NHS—one that could be detonated at any time by an ideological right-wing Government at Westminster—and that threat needs to be removed.

The internal market act must be repealed. The previous UK Government insisted that the act was necessary to protect internal UK trade, and that it merely replaced the market rules that we had when we were in the European Union. That is not true. In place of broad legal principles of mutual recognition and non-discrimination, balanced by proportionality and subsidiarity tests, and sensible derogations for important policy outcomes such as public health and environmental protection, the act introduces rigid statutory requirements that apply automatically and in nearly all cases. It is flatly untrue that the IMA is necessary to protect intra-UK trade. It is perfectly possible to create a balanced, proportionate and rules-based system of regulatory co-operation, if there is good will and political imagination on all sides. That is what we have been trying to achieve through positive engagement with the other Governments of the UK in the development of common frameworks.

It is not just the Scottish Government that is clear that the act must go. The former Welsh First Minister Mark Drakeford described the act correctly as a “smash and grab” on devolution. Less than 18 months ago, the Labour Party in Scotland was clear about the threat that the IMA poses, when it backed a motion calling for its repeal. I hope that we will hear from Neil Bibby later in the debate, but during the debate of 3 October 2023, he said:

“the Conservatives passed the UK Internal Market Act 2020 even though the Scottish Parliament and the Welsh Senedd withheld consent. Members will recall that my party—the Labour Party—voted against that legislation here in Scotland and in Wales. We also opposed it at Westminster—that makes it all three Parliaments—because of the implications for devolution and concern about the market access principles.” —[*Official Report*, 3 October 2023; c 32.]

The Scottish Labour Party’s assessment of the act’s impact on devolution is just as correct today as it was in October 2023. The risk that the act poses to the Parliament and to policy innovation is felt across Scotland. Organisations from NFU

Scotland to Alcohol Focus Scotland have made the risks plain. Just last month, Scottish Environment LINK called the act “entirely unfit for purpose” and said that it

“works directly against the principles of devolution”.

It warned of

“years of inertia, delay and uncertainty”

if the act’s impact on devolution is not addressed.

Against that background, last month, the UK Government announced a statutory review of the act. Despite the profound damage that it does to the powers of the Parliament, there was no substantive engagement with the devolved Governments or devolved legislatures on the scope and terms of reference of the review. The preferred option of both the Scottish and Welsh Governments, which is for repeal and replacement with a fairer, more transparent, and actually workable system of regulatory co-operation, has been unilaterally ruled out. As matters stand, we still face the prospect of laws that are passed in the Parliament being nullified at the stroke of a pen in Whitehall by whatever Administration is in power.

Douglas Ross (Highlands and Islands) (Con):

Kate Forbes is speaking about bills that were nullified by the UK Parliament. One of those was the Gender Recognition Reform (Scotland) Bill. John Swinney, who is sitting next to her in the chamber today, said that he had no regrets about supporting the bill. I know that the Deputy First Minister did not vote on it, but does she support the bill, as her First Minister does?

Kate Forbes: I stand with NFU Scotland, Alcohol Focus Scotland, Scottish Environment LINK, and the Scottish Crofting Federation, which have all stated that the fundamental principle at the heart of the IMA, irrespective of what issues are at stake, is that it has undermined the powers of devolution. We are accountable to the people of Scotland. There will be disagreement from members across the chamber on the matters that are under debate. The point is that members who are elected to the Parliament are accountable for the decisions that we make. That should stand without a minister from another Government unilaterally overthrowing laws that are passed by the Parliament.

Douglas Ross: Will the Deputy First Minister take an intervention?

Kate Forbes: I think that I have answered Douglas Ross’s point.

As matters stand, we still face the prospect of laws that were passed in this Parliament—irrespective of what members across this Parliament think—being nullified at the stroke of a

pen, and the prospect of those powers being diminished without the Parliament's consent.

The consultation document recognises some of the damage that was done by the previous UK Government, and it proposes, rightly, that common frameworks—intergovernmental mechanisms for regulatory co-operation that are underpinned by agreed principles, including respect for devolution—represent the correct approach. However, the development of common frameworks has been greatly impeded by the introduction of the IMA. That further strengthens the case for its repeal.

As matters stand, the act's market access principles apply automatically in nearly every case, impeding sensible discussions on managing divergence and acting as a disincentive to seeking and agreeing proportionate, sustainable solutions. We stand ready to work with the UK Government and other devolved Governments to deliver a better system that will remove the unnecessary, unworkable and undemocratic constraints that the act has placed on the Scottish Parliament. We believe that a better outcome is easily achieved. It is entirely possible to devise a system of regulatory co-operation that provides certainty to businesses, consumers and citizens while respecting devolution.

In that respect, the IMA has demonstrably failed to deliver any of the ambitions that were set out by the UK and devolved Governments in the agreed 2017 statement of principles. In particular, it does not

"respect ... devolution ... and the democratic accountability of the devolved legislatures".

If the UK Government is serious about making common frameworks the means by which we manage regulatory co-operation, it has to start by setting out how its proposals will meet the agreed principles that underpin those frameworks. More fundamentally, if it is serious about respecting the decisions of this Parliament and the Welsh Senedd, it should repeal the internal market act. It is baffling that not only has the UK Labour Government refused to repeal the act, it has ruled out even considering repeal or even repealing any part of it as part of the review process.

Devising a better system requires trust, mutual respect and a willingness to listen. The UK Government will find a ready partner in the Scottish Government if it is prepared to approach the issue on those terms and to ensure that the powers of this Parliament are restored in full.

I acknowledge that a Labour Government legislated to establish this Parliament, following an overwhelming vote by the people in September 1997. I do not believe that all those who voted for our new national, democratic and permanent

Parliament wanted it to be at the mercy of arbitrary and unaccountable decisions that are made at Westminster. The new Labour Government therefore has a decision to make. It can show that it is committed to the democratic principles that underpin the Scottish Parliament—the principles that Neil Bibby lauded in his comments in October 2023—or it can demonstrate that it is happy to squander that inheritance and endorse the disastrous legacy of the previous Conservative Government. I hope that this Parliament will send a strong, unified message in the name of Scottish democracy.

I move,

That the Parliament notes the publication of the UK Government's consultation and review of the United Kingdom Internal Market Act 2020, which sets out that it will "not consider whether to repeal the UK Internal Market Act or any part of it"; recalls that both the Scottish Parliament and Welsh Senedd refused to give the Act legislative consent; notes the position of the Welsh Government, which opposes the Act, believing it to be "an unwarranted attack on devolution"; reaffirms its decision regarding the Act on 3 October 2023, and calls for it to be repealed.

15:38

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Here we go again, debating the so-called protection of the Scottish Parliament's powers. This is the second time this session that the Scottish National Party has brought forward a grievance-led debate on the subject, rather than focusing on the pressing issues that matter to the people of Scotland.

The last time that we had this debate, nothing changed, and nothing will change after today's debate except that, once again, valuable parliamentary time will have been wasted when we could have been addressing—

Kate Forbes rose—

Rachael Hamilton: If Kate Forbes can tell me why we are not discussing health, education and all the issues of crime on which the Government is failing Scotland's population, I will take her intervention.

Kate Forbes: I hope that Rachael Hamilton understands that the act has an impact on all the issues that she has just identified. However, my question is more fundamental. I understand that Rachael Hamilton and I might disagree on this issue, but does she at least think that Labour should stand by its words and its commitment of a year ago to repeal the act?

Rachael Hamilton: Labour is in a complete pickle. It does not stand for change and it does not stand for hope.

Scotland has one of the most powerful devolved Parliaments in the world. The problem is not a lack

of powers but the Scottish Government's failure to use those powers effectively. As I said, the Scottish Government already has control of health, education, transport, justice and the economy, yet in every one of those areas outcomes are getting worse and worse on its watch. The Government needs to look no further than itself when it comes to the erosion of Scottish parliamentary powers. Time after time, it has absconded from its duty and refused to allow proper scrutiny in the chamber. In some circumstances, it is a case of policy by press release, without any opportunity for any of us to scrutinise its announcements.

Increasingly, the Scottish Government uses framework bills, as well as Henry VIII powers, which has allowed it to circumvent the robust and proper scrutiny that should be fundamental to Parliament's role. Instead of presenting developed policies, it introduces skeleton framework bills, leaving the crucial detail to be attached later through secondary legislation. That means far less scrutiny and transparency. That was evident during the passage of the Agriculture and Rural Communities (Scotland) Bill, which was passed in June. Farmers are still to receive any further detail on the support within that framework. That is not the behaviour of a Government that values democracy.

The Scottish Government's contempt for parliamentary scrutiny has never been more apparent than it was yesterday, when it whipped SNP members to refuse Parliament the opportunity to rightly scrutinise the provision of single-sex spaces. It is not protecting devolution; it is dismantling accountability.

One example of where parliamentary scrutiny must be upheld relates to the internal market act. I completely disagree with Kate Forbes—the legislation is crucial to protecting Scottish businesses and jobs. She quotes NFU Scotland, but it is 100 per cent behind protecting the integrity of the United Kingdom. Sixty per cent of our trade is with the rest of the UK, which is more than our trade with Europe.

Kate Forbes: It is very kind of the member to accept my second intervention. Before the IMA was passed, the Scottish Crofting Federation said that it feared that

"the proposed legislation would lead to a race to the bottom, threatening our high standards in food, environment and animal welfare, thus damaging the image of Scottish produce."

Its words were proven true, were they not?

Rachael Hamilton: It is this Government that is undermining democracy. It is this Government that is trying to put up a barrier to trade with the rest of the UK. It is important that farmers, traders and businesses have unfettered access to the rest of

the United Kingdom, which they can have through the principles of mutual recognition and non-discrimination. Kate Forbes knows that absolutely.

The IMA is absolutely crucial to protecting Scottish jobs, to our economy and to ensuring that trade flows freely. However, rather than recognise those economic benefits, as we have just heard, the SNP claims that the act is undermining devolution. The internal market act does not take away powers from the Scottish Parliament; it ensures that we can operate freely without unnecessary trade barriers. The real threat to Scotland's economy is not the IMA but the SNP's relentless pursuit of separation, which would devastate our economy, cut off vital markets and create even more uncertainty for businesses and workers.

The SNP claims that the UK Government's use of a section 35 order for the Gender Recognition Reform (Scotland) Bill was an attack on devolution. That is entirely misleading. Kate Forbes has not answered my colleague Douglas Ross's question as to whether she would have supported the Gender Recognition Reform (Scotland) Bill or the section 35 order, which was essential to protect women's spaces and maintain their protections. This Government ignored those concerns about women's protections. It rushed the bill through Parliament and it left the UK Government with no choice but to act to protect legal consistency across the United Kingdom and to protect the rights and protections of women. That was not about devolution; it was about responsible governance and ensuring that laws passed in Scotland do not have unintended consequences for the rest of the United Kingdom. Even Labour, which voted for the Gender Recognition Reform (Scotland) Bill, has since admitted that the UK Government was right to step in.

We know that the SNP is obsessed with divergence from the rest of the UK, even when it is not in Scotland's interests. It refused to embrace gene editing, which could revolutionise Scottish farming and boost our agriculture sector, choosing instead to be different for the sake of it, at the expense of Scotland's farmers and food producers. It also chose political posturing when the UK took decisive action to ban XL bullies, simply to be contrarians, only to, embarrassingly, U-turn later—[*Interruption.*—yes, embarrassingly U-turn later, Ms Robison.

Emma Roddick (Highlands and Islands) (SNP): Will the member take an intervention?

The Deputy Presiding Officer: The member is in her final minute.

Rachael Hamilton: The handling of this issue perfectly sums up the SNP's approach to

government. The Parliament has been given extensive powers but, instead of using them effectively, the Government has squandered them, opportunity after opportunity. Right now, we see the state of the health service and we also see the state of education in Scotland, which was once world leading. Education has suffered under the SNP's governance, and the programme for international student assessment results show that literacy and numeracy standards are tumbling in the global rankings.

Scotland deserves better than this. It is time to move on, focus on the real priorities and deliver for the people of Scotland.

The Deputy Presiding Officer: Please move your amendment, Ms Hamilton.

Rachael Hamilton: I move amendment S6M-16511.2, to leave out from “, which sets” to end and insert:

“; recognises the fundamental importance of the UK internal market to Scotland's businesses, investment and jobs, given that trade with the rest of the UK accounts for over 60% of Scotland's total exports, worth over £52 billion annually; believes that the integrity of the UK internal market is essential to economic stability, consumer confidence and business certainty across Scotland; notes that the Scottish Government has consistently failed to make effective use of the extensive powers already devolved to the Scottish Parliament by presiding over declining public service performance and failing to roll out devolved benefits on time; further notes that, rather than constructively engaging with the opportunities afforded by devolution, the Scottish National Party administration has prioritised constitutional grievance over delivering for the people of Scotland, and condemns the Scottish Government for its attacks on the powers of the Scottish Parliament through its leaking of crucial policies to the press before being announced to the Parliament, passing legislation that bypasses proper parliamentary scrutiny and failing to answer questions from parliamentarians about important topics that are in the public interest.”

The Deputy Presiding Officer: I call Neil Bibby to speak to and move amendment S6M-16511.1. You have up to six minutes.

15:45

Neil Bibby (West Scotland) (Lab): I welcome the opportunity to speak in this debate on protecting the powers of the Scottish Parliament. Given that this is the second debate in two consecutive days brought forward by the Scottish Government on UK Government policy, I would be more grateful to speak in a debate on using the Scottish Parliament's powers.

For far too long, the people of Scotland were badly let down by the previous Tory Government, not just with its disrespect for devolution but with the performative constitutional fights between itself and the SNP Government. Those constitutional fights may have been politically convenient for the

parties involved, but they did nothing to improve the lives of the people we represent.

The election in July of a new UK Labour Government that is committed to resetting the relationship between the UK Government and the devolved Governments was and is a significant moment that provides us with an important opportunity to end the performative politics and to usher in a period of co-operation rather than conflict between Scotland's Governments.

I will try to concentrate on areas where we can agree, but I have to say that much of the rhetoric from the Deputy First Minister today appears to be very performative, particularly when we consider the claims about NHS privatisation and the number of my constituents who are having to pay for private treatment on the NHS right now under the SNP Government.

Stephen Kerr (Central Scotland) (Con): It is interesting that Neil Bibby has taken that line in his speech. To be fair to the Deputy First Minister, she was quoting Neil Bibby. When we last debated the UKIMA, I reminded him that the Labour Government would not want to repeal it. That has happened, has it not? Labour is not prepared to repeal it, because it knows that it was the right thing for the United Kingdom as a whole and for Scotland in particular—

The Deputy Presiding Officer: We have got the gist, Mr Kerr.

Neil Bibby: I will come on to that point shortly.

In terms of resetting the relationship, it takes two to tango. If the Scottish Government is genuinely committed to partnership working and co-operation, it would join us in focusing on and welcoming many of the positive steps that are being taken by the new UK Government. *[Interruption.]* I will not take the intervention, as I want to make some progress.

Scottish Labour welcomes the publication of the UK Government's consultation and review of the United Kingdom Internal Market Act 2020. We welcome the fact that the review is both broader in scope and being carried out earlier than is required by statute. We also welcome the UK Labour Government's immediate commitment to finalise the delivery of the joint common frameworks programme ahead of that review—something that Scottish Labour has called for, including the last time that we debated the issue. Scottish Labour also welcomes the new approach to resetting relations, and the UK Labour Government's intention is rightly to uphold its responsibilities in relation to the Windsor framework as we reset our relationship with the European Union. All those points should be welcomed by the Scottish Government and by all parties. Indeed, many of those measures have

been called for by parties across the chamber and not just by Scottish Labour.

The other reason why the debate feels performative is that the Scottish Government is prejudging an important review that still has more than six weeks of its consultation to go. We should all agree—

Kate Forbes: Will the member take an intervention on that point?

Neil Bibby: Yes.

Kate Forbes: Does the member not think that explicitly excluding one of the options—the very option that majorities in both the Welsh Senedd and the Scottish Parliament have supported—up front is prejudging the outcome of the review?

Neil Bibby: I will come on to why the internal market act is being reviewed and why it is being retained. The Deputy First Minister is prejudging the responses to the review from people in Scotland. She is also the economy secretary, and we should all agree that economic growth is of utter importance. I hope that we would also all agree that it is paramount that the views of Scottish businesses are heard.

We know that, generally, businesses want to be able to confidently trade freely across the UK, that exports to the rest of the UK are worth nearly £50 billion and account for more than 60 per cent of all Scotland's exports, and that businesses want regulatory alignment across the UK. We also know from the latest Scottish business monitor that 90 per cent of businesses raised political uncertainty as one of their major concerns.

The Deputy First Minister might like to think that she is the voice of business in the Government, but, if this debate is not performative, that rather begs the question why the Scottish Government is adopting its position before all Scottish businesses have had their say in the review. It is vital that businesses, consumers and other stakeholders here, in Scotland, and across the UK are listened to.

The Cabinet Secretary for Health and Social Care (Neil Gray): Will the member give way?

Neil Bibby: I am sorry, but I want to make progress.

The Government's motion not only prejudices the consultation; perhaps ironically, it prejudices the work of the Constitution, Europe, External Affairs and Culture Committee and the evidence that it will take on the review. If the Scottish Government's show today is not performative and it really wants to respect the role of the Scottish Parliament, surely the Deputy First Minister should be awaiting with interest the findings of a Scottish Parliament committee.

It is regrettable that the Deputy First Minister has criticised the new UK Government's review and, indeed, Scottish Labour's position, and that she has largely ignored the very welcome commitments that it has given and the change of circumstances. Rachael Hamilton said that nothing changed after the last debate. In fact, a lot has changed since then. The truth is that there have been a number of substantial and important steps forward since we previously debated the issue, in October 2023. *[Interruption.]* First and most important—I say this to Stephen Kerr—we no longer have a Conservative Government. Instead, we have a new UK Labour Government that is committed to respecting devolution and resetting the relationship with the devolved Governments.

I remind members that the motion referred to by the Deputy First Minister called on the UK Government

“to develop a more consensual means of preserving common standards and safeguards across the UK that does not undermine devolution”.

The Deputy Presiding Officer: Mr Bibby, I appreciate that you were generous in taking interventions, but you will need to bring your remarks to a close now.

Neil Bibby: That is exactly what the new UK Labour Government is aiming to do. It is already committed to finalising the common frameworks programme and to undertaking—

The Deputy Presiding Officer: Mr Bibby, you will need to conclude—you are well over your time.

Neil Bibby: Okay. I had a lot more to say, Presiding Officer, but thank you for the opportunity to speak.

I move amendment S6M-16511.1, to leave out from first “notes” to end and insert:

“welcomes the publication of the UK Government's consultation and review of the United Kingdom Internal Market Act 2020, which is broader in scope and being carried out earlier than required by law; notes the change of UK administration in July 2024 and welcomes its commitment to resetting the relationship between the UK Government and devolved governments and its intention to uphold its responsibilities under the Windsor Framework; welcomes the immediate commitment from the UK Government to delivering the joint common framework programme ahead of the review; believes that changes to the Act, co-operation between governments, respect for devolution and ensuring that there are no barriers to trade between Scotland and the rest of the UK are all essential; further believes that the interests of supporting Scotland's businesses and economic growth should be paramount; welcomes that the Constitution, Europe, External Affairs and Culture Committee is due to take evidence on the review, and awaits its findings, and encourages Scotland's businesses, and other stakeholders, to take part in the review by 3 April 2025.”

15:52

Lorna Slater (Lothian) (Green): The United Kingdom Internal Market Act 2020 is a pernicious piece of legislation that not only alters the devolution settlement without the consent of Scotland; it is limiting in a way that the European common market is not. Within the common market of the European Union, protections for the environment are viewed as a floor, not a ceiling. Therefore, where nations or regions wish to be more ambitious with measures to protect the environment, they may do so.

However, within the UK single market, the internal market is used to create a ceiling. Any time that Scotland or Wales wishes to use their fully devolved powers to move more quickly than England does—for example, to ban single-use plastics—the UK Government gets the final say as to whether it allows that. The UK Government is not required to give any advance notice of what its decision might be, to provide any evidence to support its decision or to appear in front of Scottish parliamentary committees to defend or be held accountable for its decision.

It is really quite extraordinary that legislation on fully devolved matters, which has been developed over months and years in Scotland and has been passed by the democratic vote of the Scottish Parliament, can be stopped in that way—I will repeat myself, because this is a really important point—without providing evidence or justification or being held democratically accountable.

We have an egregious example of that in Scotland's deposit return scheme. That example is important, because it demonstrates exactly how the 2020 act limits wider ambition to protect the environment and how it can be used for political ends to undermine the devolved powers of the Scottish Government and the democratic will of the Scottish Parliament.

Back in 2019, all the nations in the UK had the intention to bring in such schemes. Boris Johnson stood for election that year on a manifesto promise to deliver a deposit return scheme that included glass. Scotland went first, with the Scottish Parliament passing the regulations for Scotland's scheme in 2020, which was before I was elected and before the internal market act was passed. It was recognised that, post Brexit, a mechanism would be needed to figure out how repatriated EU powers would be used by the UK where they clearly infringed on devolved powers.

The mechanism that was developed is called the common frameworks. Those were agreed by all nations, with the intention to bring the nations into alignment and to grant exemptions from the IMA where that was not possible. In the case of the deposit return scheme, although the process

was followed to the letter, it failed, because the common frameworks process is not binding on the UK Government. Despite saying for years, including in published documents as late as January 2023, that Scotland's DRS could contain glass and diverge from England's, the UK Government delayed and delayed in granting the necessary exemption, and ultimately refused to grant it at the 11th hour.

Fergus Ewing (Inverness and Nairn) (SNP): Will Lorna Slater take an intervention?

Lorna Slater: I will take one during my closing speech. I have only four minutes.

The Deputy Presiding Officer: Ms Slater indeed has only four minutes.

Lorna Slater: I know that there was significant concern among members of the Scottish Parliament about the uncertainty for Scottish businesses that was caused by that delay, and that there was devastation for the people who lost their jobs as a result of that ultimate refusal. There is a slew of correspondence between the convener of the Scottish Parliament's Net Zero, Energy and Transport Committee and the UK Government, repeatedly asking UK ministers to appear before the committee to explain themselves. The UK Government refused on every occasion.

That the internal market act can be used on a whim by the UK Government to harm Scottish businesses and undermine the will of the Scottish Parliament without democratic accountability shows that it is a flawed piece of legislation. Any UK Government that respected devolution would immediately repeal the act.

15:56

Willie Rennie (North East Fife) (LD): I have to commend Lorna Slater for raising the deposit return scheme in the Scottish Parliament and claiming it as an asset.

We are nine years on from the referendum, yet we are still debating the consequences of Brexit. I have hardly seen any great benefits from Brexit so far. I have not seen great trade agreements with other nations of the world that are bringing huge volumes of trade into the United Kingdom, but we are still dealing with the consequences of Brexit.

There is no doubt that, following Brexit, we needed to have a new market arrangement. Replacing the single market with the internal market act probably was required. The issue was not whether we had something; it was how we did it. There is also no doubt that the previous Conservative Government was far too heavy handed in its use of the internal market act.

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): Will Willie Rennie give way?

Willie Rennie: Not just now.

The real deep flaws in the internal market act—there are deep flaws—relate to the mutual recognition arrangements. There is a requirement that businesses should be able to sell goods in any part of the United Kingdom and not have to comply with the laws of any particular part of the United Kingdom if the requirements are different. I would not encourage that approach, because it dismisses local requirements and standards. It dismisses innovation in different parts of the United Kingdom, and I want to encourage such innovation. However, I would not want a situation in which companies choose not to trade with certain parts of the United Kingdom because the standards are so different. There is a balance to strike in all this.

I am sceptical about some of the arguments that the Deputy First Minister used, particularly on the privatisation of the NHS. That undermines the argument that many of us would agree with, which is about ensuring that we have the right balance between local innovation, local difference and local regulation, and the need to have the ability to trade across the United Kingdom in a way that does not unnecessarily hinder business.

The UK Government's consultation is an opportunity. I would prefer to repeal the internal market act but, whether we repeal it or change it substantially, I do not really mind about the process. However, what must change is the way in which it works and, in particular, the crude application of mutual recognition.

UK in a Changing Europe has been quite sensible in coming forward with pragmatic solutions to that issue and has set out two important principles in particular: subsidiarity and proportionality. Those elements allow there to be a degree of common decision making across the United Kingdom, which is what the frameworks are supposed to be about. However, it should be enshrined in law that different parts of the United Kingdom are required to agree with one another. In other words: it should not just be the Westminster Government that has the final say on all occasions.

There needs to be a way for the different Parliaments and Assemblies of the United Kingdom, together with the Westminster Parliament, to reach decisions. The current arrangement is therefore not acceptable. Proportionality is important; we want there to be difference, without it being so great that it deters trade across the United Kingdom.

Federalism is the answer to that problem. I have been banging on about that for a long time. If we adopt that more pragmatic and sensible solution, we might be able to get through the problem of the current arrangement.

16:00

George Adam (Paisley) (SNP): I have been a member of the Parliament for a wee while. Things have changed, and I have changed a bit. My hair is a wee bit lighter than it was when I first came in. Christine Grahame has just said that at least I still have a full head of hair. My suits might also be a wee bit larger than they were when I first walked in.

However, one thing that has not changed in my years as an MSP is the unionist parties' attitude to the Scottish Parliament. Whether Labour or Tory, they make promises during an election and, the minute it is over, they revert to protecting the British state at all costs and not looking at any other ideas whatsoever.

During the time that I have been here, I have seen debates change in the Parliament, Scotland and the rest of the world. There are those who want to disrupt the whole political system and those who run in fear of those who want to disrupt, which concerns and worries me. Much of today's debate is about those who are running in fear of those who want to disrupt the political system. Brexit was an example of wanting to disrupt the political system.

One thing will remain the same: I will represent the people of Paisley and speak up for them, as I always have. They want to hear about how the Parliament can be a part of the solution to all the problems and issues that they face in life. It will always be an honour for me to stand in this chamber and speak up for the people of Paisley and Scotland, but I do so today with deep concern, because the very powers of the Parliament—which, as the Deputy First Minister said, the people of Scotland voted for in 1997—are under attack.

The internal market act is the biggest threat to devolution since the Parliament was reconvened. It is nothing short of a Westminster power grab and an attempt to roll back the hard gains of devolution. Many members remember those hard gains and what the fight was like to get this Parliament. The act is undemocratic, and it is undermining the democracy of the Scottish people.

Let us be absolutely clear: the act was imposed on Scotland against our will. The Scottish Parliament and the Senedd in Wales refused consent for it, yet Westminster forced it through anyway. That is not co-operation or respect; it is

Westminster deciding that Scotland's voice does not matter. During Brexit, the Tories told us that they wanted to take back control, but now we see exactly what they meant, because it was not about giving power to people but about taking power away from the people of Scotland.

The internal market act allows UK ministers, without our consent, to override decisions that have been made by this Parliament in devolved areas, which means that they can force policies on us whether we want them or not. They could undermine our food standards, environmental protections or even the way in which we support our businesses. In areas such as public health, in which Scotland has led the way with minimum alcohol unit pricing and free prescriptions, the act creates uncertainty as to whether we can continue to make such progressive choices.

It is not just the Tories to blame. In opposition, Labour said that it would scrap the act, but now it refuses to do so. We in the SNP have fought tooth and nail against the act from day 1. We warned that it was a power grab and would damage devolution, and we were right. The Parliament is here because the people of Scotland demanded it, but, if Westminster can simply override our decisions as it likes, what kind of devolution is that?

Let me be absolutely clear: the only way to fully protect the Parliament and ensure that Scotland's future is in Scotland's hands is through independence. If Westminster will not respect our Parliament, the people of Scotland deserve the chance to choose a different future—a future in which decisions about Scotland are made in Scotland by the people of Scotland.

16:05

Jackson Carlaw (Eastwood) (Con): It is, I suppose, always a pleasure to follow George Adam. He said that the UK Government seeks to protect the British state, and I might observe that that is, in fact, what the people of Scotland voted for in 2014.

This debate is something of a pretty kettle of fish. When Kate Forbes stood to speak, I was reflecting that, when I first came to the Parliament, Ms Forbes was 17, had just left school and was off to the University of Cambridge. Of course, she has been the repository of a great deal of hope among many that she will bring a more enlightened view to the Parliament.

Angus Robertson and I were both fiery redheads in those days. He now has a slightly depressing grey look, but I have maintained a slightly strawberry blonde colour. Notwithstanding that, at that time, he was at Westminster,

aggressively campaigning for a referendum on Europe, as I recall.

However, neither Kate Forbes nor Angus Robertson was here in what was, I think, the SNP's best parliamentary session—the one from 2007 to 2011. I will characterise why I think that, why things went wrong after that and why I think the focus of this debate is so wrong.

In those days, the business manager, Bruce Crawford, and the late Brian Adam—for whom many of us had a great deal of affection and respect—worked the corridors of this Parliament and engaged with all the other parties, because the Government was a minority Government. That Government recognised that the chamber is shaped like a horseshoe—there is not a divide as there is in Westminster—and it understood that, in order to deliver policy, it required to achieve agreement across the parties. The 2007 to 2011 parliamentary session was all the more effective for that.

Alex Salmond, the First Minister, Jim Mather, the business secretary, and John Swinney, the finance secretary, all engaged with other parties to achieve policies, some of which are still the longest-lasting and best-remembered policy achievements. When SNP members list their achievements, they are often the achievements of that first Administration.

The Cabinet Secretary for Finance and Local Government (Shona Robison): Jackson Carlaw makes some important points, but does he agree that, in these circumstances, what is important is not just the actions of the Government? Does he recognise how different the Opposition is in the Parliament now compared with that during the period that he has cited?

Jackson Carlaw: That is a fair point, and let me address it. What has changed? I think that, since then, in effect, the electoral system—which is what sends us all here—has not produced the same proportionality in the Parliament that encouraged engagement and agreement between the parties in order to achieve policy. The system has produced a Parliament that has allowed one party to be much more dogmatic and definitive in the way in which it has progressed legislation, without having a record of achievement.

Unarguably, all our public services are now in a position of which none of us can be proud, because they are less effective and less successful than they were back at that time. When the Parliament passed my colleague Margaret Mitchell's no-fault public apologies bill, I do not think that we thought that it would be the Scottish Government that took the greatest advantage of it. How many times do ministers stand up and apologise but then say, "It's nae my fault"?

Next, we have the “Let’s thank our public services but actually do nothing to improve them” bill. Our public services are fed up with being thanked without there being policy changes to improve those services. That is our central failure.

Kate Forbes: Will Jackson Carlaw give way?

Jackson Carlaw: I will in a second.

I looked at waiting times this week. In 2011, when there was a majority Government, a total of 784 people waited more than 12 hours in emergency departments. By last year, that number had risen to 76,346. Who in the Parliament can be proud of our collective achievement if that is the end result? What is the Deputy First Minister’s response? She has fallen into the habit of every one of her predecessors of saying that the real threat is that the Tories or those at Westminster are set to privatise the NHS in Scotland. For goodness’ sake—is that really the level of our debate? How much more effective would things be if the parties in this Parliament operated more effectively, as we did during the first SNP-led Administration, and sought to find a workable and collective solution to the problems in Scotland’s NHS, rather than using childish and simplistic slogans?

Kate Forbes: If it is any consolation, I was referring to Nigel Farage rather than the Conservatives, just to make that crystal clear.

The member talks, quite rightly, about the importance of accountability—in other words, all of us being accountable to the electorate on the basis of the decisions that we make. The point that I was making—it is a principled point—was that, if those decisions are then unilaterally overruled, there is not accountability. Does the member not think that the UKIMA undermines the very accountability that he proclaims?

Jackson Carlaw: The Deputy First Minister’s point might be more effective if the Government paid attention to divisions in this Parliament when it loses a vote. Instead, it carries on regardless and completely ignores the fact that it does not have the support of Parliament for the actions that it is taking.

I am coming to the end of my speech, and I want to be constructive, in as much as I can be. In response to Kate Forbes’s question to the Labour Party, Neil Bibby replied that it takes two to tango. Well, I think that Labour is well and truly Tangoed, frankly, in respect of the position that it took. Why did it make the commitment that it did? It is because fools rush in where angels fear to tread.

How do we hope to proceed in the next session of Parliament? Given that this session has had the Calman and Smith commissions, which, as far as I am concerned, resulted in an extension of

powers—the Parliament simply did not have those powers in 2007—I say to the Presiding Officer and party leaders that in the next session, Parliament needs to think very carefully. The more mature we have become in age, the less mature we have become in performance in this Parliament. It is a watershed: the galleries are empty at First Minister’s questions and the ratings for Scottish Parliament television have absolutely collapsed. The public are falling out of love with this institution because it is not delivering. In the next session of Parliament, we will have to work collectively to pull together in a way that actually delivers for Scotland, and not just have rhetorical, empty debate.

16:11

Kenneth Gibson (Cunninghame North) (SNP): The Tories opposed the very existence of this Parliament and have sought to undermine it at every possible opportunity over the past decade and more.

The assertion that Scotland is the most powerful devolved nation in the world is the epitome of unionist rhetoric that is often peddled by Tory MSPs—a claim that is wheeled out when legitimate concerns are raised regarding the erosion of Scotland’s devolved powers. It is a ludicrous assertion in a Parliament that has no authority over broadcasting, currency, defence, energy, foreign policy, telecommunications, postal services, currency, immigration, income tax thresholds, VAT, national insurance, corporation tax, inheritance tax, fuel, pensions, tobacco and alcohol duties and so on, and which cannot borrow prudentially, as local authorities can—we cannot even ban the sale of fireworks in this Parliament.

Successive UK Governments have denied Scotland greater self-governance, refusing even to say what, in their eyes, constitutes a mandate for an independence referendum, and the United Kingdom Internal Market Act 2020 undermines the existing devolution settlement. The excuse of establishing a smooth internal UK market seems odd, given the willingness of Brexiteers to leave the much bigger European single market. UKIMA delivered an unprecedented and audacious overreach, affording UK ministers control over devolved spending in culture, sport, education, economic development and infrastructure. The *Northern Ireland Legal Quarterly* called the act a

“red flag symptom of constitutional ill-health”

and

“The most contentious and glaring manifestation of Westminster’s growing propensity to impose its will upon the devolved nations without democratic consent.”

An overwhelming majority of MSPs and our Welsh counterparts decisively rejected granting

legislative consent. Nevertheless, the Sewel convention was disregarded and the act was unilaterally imposed. Westminster Tories wasted no time in steamrolling Scottish ministers and flexing their self-appointed new powers, introducing the shared prosperity fund to bypass Holyrood, with meagre resources that were intended to limit this Parliament's influence over economic development and infrastructure.

Efforts to curb single-use plastics met repeated obstacles, with the act allowing Westminster to override devolved policies under the pretence of market consistency. Previously, Scotland could maintain higher standards on pesticides use, agricultural practices and public health, but we can now be forced to accept inferior goods and services. The University of Glasgow centre for public policy said:

"UKIMA-driven coordination risks stifling policy innovation at the devolved level, may slow the pace of policy development, and could generate pressure to conform to the standards that the UK Government deems appropriate for England."

Even the ban on glue traps was stonewalled, with the UK Government refusing Scotland an exemption. All that in the most devolved nation in the world—a preposterous claim.

For many UK politicians, the union is mistakenly conceived as a unitary state rather than as a voluntary political union of nations, with devolution long perceived as requiring neutering. Despite our supposed nation status, compared to provinces, autonomous communities or constituent territories, our devolved powers are weak.

The Basque Country controls all tax revenues, sending only 6.29 per cent to Madrid for shared responsibilities such as defence and foreign affairs. Quebec's immigration powers shape its demographic and economic trajectory according to its own priorities. A Scottish equivalent could target labour shortages and attract skilled professionals into vital sectors such as healthcare, aerospace and renewables. As Crown dependencies, the Channel Islands set their own tax rates, including corporation tax and VAT. They set import duties, and they hold responsibility for customs and immigration, deciding—unlike Scotland—who can live and work in their communities. They negotiate international agreements with other countries. The Isle of Man has similar powers. Meanwhile, we face the capricious indifference of London post Brexit.

Devolution has led to market interventions in health, environment and welfare, yet our powers are simply not robust enough to defend policies against legal challenges or UK pressures undermining their effectiveness. UKIMA strikes at the heart of devolution, as it is designed to do. UK authority over decisions that should be made here

diminishes this Parliament. That deliberate erosion of devolved powers is one that Labour's branch office—as always, awaiting its orders from London—seems in no hurry to reverse. Sadly, the pitiful lack of ambition of those who back devolution but not independence does not even extend to Scotland having the same powers as Guernsey. It is time that they raised their game.

16:16

Alex Rowley (Mid Scotland and Fife) (Lab): I have always believed that the best way to protect devolution in Scotland is to demonstrate what it can deliver for the people of Scotland. Doing so would mean that no one would dare threaten devolution.

I find the level of debate today quite depressing. Kenneth Gibson talks about the cannot-do approach, saying, "We do not have powers. We cannot do this. We cannot do that." What about what we can do? I agree with the points that Rachael Hamilton made. Today, as with almost every day, I am dealing with housing issues, and yet the Parliament, which is celebrating 25 years, has not only failed to tackle some of the big housing issues but has now declared a housing crisis. What about education, where we can do so much more? We have a crisis in the classroom, in our NHS and in social care. People looking on expect that housing, education and health issues would be best tackled at a Scottish level. I certainly believed that when I campaigned for a Scottish Parliament all those years ago.

We do not seem to want to use the powers that we have, and we do not seem to want to take responsibility for the powers that we have; we just come here year after year, moaning. I was thinking to myself the other day that I have been in this Parliament for 11 years and I have not seen progress on all the big, day-to-day, bread-and-butter issues that the people of Scotland expected this Parliament to take on.

The Minister for Parliamentary Business (Jamie Hepburn): The member seems to be complaining about the terms of today's debate, but the debate is calling for the repeal of the internal market act. I spoke in the same debate as Mr Rowley did on 3 October 2023, when he and I voted for the repeal of that act. Does Alex Rowley agree with himself from that time, when he voted for the repeal of the act?

Alex Rowley: I very much welcome the fact that the United Kingdom Government has brought forward the consultation and discussion. I equally welcome the fact that the difference between the Conservatives being in power and Labour being in power is that we now have a Government that is saying that, rather than the devolved

Administrations simply coming up with grudges and bemoaning the UK Government, it wants to work with them. That is the massive difference, and that is what we were asking for: common frameworks and Governments to work together.

Let me get back to the point: this is about the Scottish Parliament continually failing to deliver on the areas that it has responsibility for, while coming up with excuse after excuse.

It is no wonder that the SNP does not want to talk today about the national health service, education or the crisis in housing, which is heartbreaking to deal with every day. Those are the issues that the people of Scotland vote for the Parliament to act on and to deliver on. However, the SNP Government knows that, if we were to discuss those issues today, people would be shown the extent of its failures; hence, it comes along and talks about the powers that it does not have. I believe that the Scottish people are very clear that they want every MSP to earn their crust, to start working and to use the powers that we do have to improve the lives of people in Scotland. That is their challenge to us.

16:20

Emma Roddick (Highlands and Islands) (SNP): From recycling schemes to dog breeding and restrictions on products that are high in sugar, the internal market act is a sword of Damocles that hangs over anyone who is trying to govern Scotland or any of the other devolved nations in the UK. Those issues and the others that have been raised in the debate are ones that the Parliament can deal with, as they are devolved. It is all very well to shout that we should use the powers that we have, but that is what the debate is about—let us use those powers. The Scottish Parliament and the Welsh Senedd's refusal to consent to that legislation should have been the end of it. In any normal, democratic set-up, it would have been.

I campaigned for independence in 2014 and I know full well that, had I said back then not only that the Tories would undo devolution but also that, when Labour got in after them, it would keep it that way, folk would have said that I was scaremongering and that it was our own project fear. They said, "Lead, don't leave" and not, "If you try to lead the way, we're going to stop you". They promised us more powers and not a complete flip of what devolution means. The reality in which we are all living only a decade later is that the Sewel convention is meaningless and that not only is a hostile UK Government in place, but there is no prospect of a party taking control in London that will respect the decisions that are made in this chamber.

The democratically elected representatives of Scotland should be the people who make decisions about and for Scotland. That is an incredibly simple premise, but it is not being upheld. The act allows UK ministers to override decisions that are made here using the powers that everyone agrees we have. That is blatantly wrong. It was atrocious that the Conservatives brought in that attack on devolution, but it is unforgivable that Labour is keeping it in place despite the party's opposition to it not too long ago.

The internal market act pretends to be something that it is not. It is disguised as involving teamwork on consideration of shared goals and trade, but it is only about taking control. Scotland is not for sale. If the internal market act is the answer, Scotland was not asking the question.

I want to be clear that there is no excuse for Labour keeping the act. However, I still want to warn its ministers and members that they cannot legislate solely on the basis that they will be in power forever. I ask members to imagine a Labour Scottish Government—that is unlikely, but I ask members to imagine it—and what it would look like alongside a Reform Government at Westminster, which is a far more realistic possibility. Should the Government that Scotland elects, regardless of which party or parties make it up, govern in constant fear of being undermined and overruled by whoever is in power at Westminster? If that is really the position of Labour members or anyone else, I have no idea what they are doing in this place.

Earlier, when Rachael Hamilton talked down the Scottish Government wanting to take a different approach to that of the UK on things such as controlling XL bullies—given that nobody thinks that the UK's position on that is sustainable or sensible in the long term—I wanted to ask her, "What on earth is it okay for us to do differently?" We should do things differently here because we are a different country. We can take decisions to work with our closest neighbours or nations across the world when we agree on shared goals around tackling climate change and furthering human rights, but those agreements, treaties or unions should be voluntary.

The use of the internal market act powers by Whitehall towards us is not voluntary. The act was not brought in voluntarily and the union is no longer voluntary. It is unacceptable that any UK Government would override the wishes of the democratically elected Scottish Parliament and I hope that people will stop accepting it, because there is a very clear alternative—you know where I am going with this, Presiding Officer—and that is independence.

16:24

Foyso Choudhury (Lothian) (Lab): The Labour UK Government was elected on a manifesto to reset the relationship with the devolved Administrations. After years of antagonism under the Conservatives, we need to move on to relationships that are based on collaboration and respect in order to deliver for the public and business. The announcement of the consultation and early review of the internal market act is evidence that the Labour Government is proactively rebuilding the relationships and working with, rather than against, the devolved Governments.

The ministerial foreword to the review by Douglas Alexander, the MP for Lothian East, says that the UK Government wants to work in a “collaborative and transparent way”. Equally, Labour reversed a decision by the old Tory Government to block the banning of glue traps by the Scottish Government. Members should be welcoming the change from a Conservative Government that frequently ran over devolution, including in its reckless passage of the Internal Market Bill in 2020.

Jamie Hepburn: Will the member take an intervention?

Alasdair Allan (Na h-Eileanan an Iar) (SNP): Will the member take an intervention?

Foyso Choudhury: I have a lot to get through and I do not want to argue about what we should or should not be doing. I ask members to let me say what I want to say.

The Labour Government views the devolved Governments as partners and not as rivals.

The review of the internal market act must achieve a reformed agreement that works for Scotland and allows Scottish businesses barrier-free trade with the rest of the UK. Scotland’s exports to the rest of the UK are valued at more than £45 billion.

Jamie Hepburn: Will the member take an intervention?

Foyso Choudhury: I have said that I do not want to argue. I have points to make.

It is key to economic growth that businesses face no barriers to trade with Wales and England—particularly small businesses, which may not have the resources to deal with greatly differing regulations between nations.

There have been exclusions in the internal market, for example on single-use plastics, and the most recent annual report from the Office for the Internal Market names other products that may be regulated in future, such as cosmetics and fireworks. I therefore welcome the fact that the

review seeks to improve the exclusions process. That is particularly important for transparency, given that the Constitution, Europe, External Affairs and Culture Committee’s report on the internal market noted the lack of a process for informing Parliament or consulting businesses when an exclusion is sought. Above all, businesses should have certainty about the rules that they will follow, and a transparent process is key to that.

I hoped to hear how the Scottish Government plans to respond to the consultation and provide certainty for Scottish businesses, rather than hearing more constitutional rows. However, I hope that the Scottish Government will engage fully with the review and consultation, and I look forward to reading the findings of the Constitution, Europe, External Affairs and Culture Committee after it takes evidence in March.

16:28

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I shall quote from our debate of 7 October 2020 on legislative consent to the United Kingdom Internal Market Bill. In opening for the Scottish Government, Mike Russell said:

“Members will be familiar with the main provisions, but let me go through them. In parts 1 and 2, the bill contains sweeping new blanket mutual recognition and non-discrimination provisions. Regardless of the views of the Parliament or the wishes of the people of Scotland, they would require Scotland to accept lower standards relating to food, as pointed out by Food Standards Scotland; the environment, as pointed out by Scottish Environment LINK; and building materials, as pointed out by the Royal Incorporation of Architects in Scotland. The scope of those powers can be unilaterally changed by UK ministers, and only by them.”

He also said:

“There are sweeping new spending powers in part 6 that threaten the devolved Scottish budget and transfer decision making over areas of devolved spending from the Scottish Government to the UK Government.”—[*Official Report*, 7 October 2020; c 67, 68.]

Thank goodness minimum unit pricing predated the act—we could not introduce that now without UK Government say-so. We cannot ban the sale of electric shock collars without UK Government permission, and we know that funding for devolved projects that was formally awarded by the EU is now dished out by the UK, taking a detour around devolution.

I turn to what Alex Rowley said—dancing on the head of a pin, and no wonder—when he opened for Labour in the same debate in 2020. It almost makes me feel sorry for him. He said:

“I want to make it clear that we will not give consent to the United Kingdom Internal Market Bill. Let me be clear:

we will not give support to any measures that will reduce and constrain the competence of the Scottish Parliament.

As a political party, Labour is committed to devolution. For the avoidance of doubt, the bill is a full-on attack on the existing devolution settlement.”

He went on to say:

“However, it is not just that the United Kingdom Internal Market Bill breaks international law, or that it drives a coach and horses through devolution, but that it paves the way, in my view, for private and multinational companies to force their way into key public services in Scotland.”—[*Official Report*, 7 October 2020; c 75, 76.]

Claudia Beamish, in closing for Labour, said:

“We will not support legislative consent for such a disrespectful and dangerous bill.”—[*Official Report*, 7 October 2020; c 94.]

My question for Labour is this: if the act is “disrespectful and dangerous”, should it not be repealed rather than reviewed? After all, that was Labour’s position less than five years ago. It betrayed the WASPI women—women against state pension inequality; it betrayed the pensioners over the universal fuel allowance; and it betrayed employers through the increased national insurance contributions, which are a jobs tax. Not repealing the internal market act is a further betrayal—this time, of devolution. Surely that is a CV fit for the television programme “The Traitors”.

The Deputy Presiding Officer: We move to closing speeches.

16:32

Lorna Slater (Lothian) (Green): I want to reassure Willie Rennie that I am happy to talk about the deposit return scheme any time, and to discuss it and debate it in the chamber. If any members wish to make interventions during my closing remarks, I would be happy to accept them.

Fergus Ewing: Does Ms Slater recall that, in an unprecedented expression of condemnation of the bill that she was then in charge of as a minister, around 600 businesses across the entire range that would have been affected by the deposit return scheme said that it was unworkable and unachievable and, quite frankly, that it should have been scrapped? Does she believe that the scheme should have gone ahead as planned? Were all those businesses throughout Scotland wrong?

The Deputy Presiding Officer: Thank you, Mr Ewing. I think that we have got the gist.

Lorna Slater: I recall that the regulations covering the scheme were passed by Parliament in 2020. It was the will of Parliament that that scheme be put in place. I note that in the past few weeks the UK Government has passed similar

regulations that are based on the ones in Scotland, because UK Government officials worked closely with our officials here to develop them. Those are coming for the entire UK, whether Fergus Ewing supports them or not.

Emma Roddick put it best in the debate. She outlined, as I did, that we are talking about attempts by the Scottish Parliament to use the powers that it has, or should have, under devolution, and that we are demonstrating where they have been and could be blocked. Even the most basic and simple of things, such as starting a recycling scheme for bottles and cans a few months ahead of the rest of the UK, was blocked.

Labour is, indeed, approaching the issue as if it can never imagine itself being in government in Scotland. If it could imagine being in government in Scotland, it would see itself as being yes men and women to Westminster, never using the powers of the Scottish Parliament to lead, make a difference or diverge in any way.

Scottish Labour was desperately hoping that a Labour Government in Westminster would undermine the case for Scottish independence, but it has done the opposite, by demonstrating that it does not matter who is in power in Westminster: the UK Government will retain the power to veto legislation that is made by the Scottish Parliament in fully devolved areas.

Scotland and Wales will continue to have their ambition to protect the environment curtailed, which is forcing us to move forward at the rate of the slowest nation—or, rather, at the rate of England—which is contrary to the whole principle of devolution. There is to be no more innovation and no more moving first for Scotland, and no more trying out policy ideas in Scotland to see whether they work well before the rest of the UK can take them on.

Jackson Carlaw: Will the member take an intervention?

Lorna Slater: Certainly.

The Deputy Presiding Officer: Briefly.

Jackson Carlaw: It was a Conservative Government that transferred taxation powers to this Parliament, which is now able to diverge from the rest of the United Kingdom in the tax policies that it implements. Is the member completely oblivious to that?

Lorna Slater: I am grateful for those tax powers, given that we have used them to put in place progressive taxation, but today we are talking about the UK internal market act, which is a mechanism for taking powers away from the Scottish Parliament.

I remember protesting that state of affairs at an intergovernmental meeting when I was the Minister for Green Skills, Circular Economy and Biodiversity, and I was thundered at by a UK secretary of state that a devolved system is not a federal system, meaning that our powers are not protected by the constitution. Well; quite.

The Scottish Greens maintain that Scotland should cease being part of the union and single market and instead be an independent nation inside the European Union and its common market, and everything that the Labour Government is doing reinforces that position.

16:36

Martin Whitfield (South Scotland) (Lab): This debate has been almost three debates in one, two of which were interesting. I have to say at the outset that Scottish Labour welcomes not only the new UK Labour Government—which no one would be surprised at—but its commitment to resetting the relationship with the devolved Governments, and it has wasted no time in demonstrating that.

It is fascinating that we have statements and questions in which the Scottish Government talks about, and talks up, the close working relationship that exists between the new UK Government and the Scottish Government, but then, following the Scottish Government's chosen debate yesterday—although I could not possibly criticise it for wanting to level criticism at other Governments—we have today's debate. This debate, rather than being, as it was heralded, about protecting the powers of the Scottish Parliament, might in fact have been an invitation to come back and talk about independence, although I know that the Scottish Government's front-bench members have been silent on that point—

Kate Forbes: Will the member give way?

Martin Whitfield: I am happy to take a short intervention.

Kate Forbes: There is one central point in today's debate, which is that Labour voted to repeal the IMA in October 2023, but now Labour in government has explicitly ruled that out. Is that a U-turn, or is it not?

Martin Whitfield: Much in the same way as the Scottish Government decided to bring this debate to the chamber before the Constitution, Europe, External Affairs and Culture Committee has published its report on its on-going inquiry—

Kate Forbes: Is it a U-turn?

Martin Whitfield: Well, it is an indication of another debate—a debate in which, aside from one reference, members have not discussed the importance of the Windsor framework and the

requirement to act in good faith in protecting the UK internal market.

Was there a change? Yes, and—in response to Christine Grahame's assertions, quotes and references—this is an act that needs to be fixed. The vehicle for fixing the act is under way: it is being brought forward.

Jamie Hepburn: Will the member give way?

Martin Whitfield: I am more than happy to give way to the Minister for Parliamentary Business.

Jamie Hepburn: Mr Whitfield said that

“this is an act that needs to be fixed.”

On 3 October 2023, he voted for repeal of the internal market act. Does he still believe that the act should be repealed?

Martin Whitfield: I believe that the internal market act should be fixed; it absolutely needs to be—*[Interruption.]*

There we have the lap of derision, from those who are paying attention.

It is right to say that the UK Labour manifesto spoke, as has been raised today, about strengthening the Sewel convention

“by setting out a new memorandum of understanding”,

because the Governments need to work together.

I will, again, quote a Scottish MP—Douglas Alexander MP—who sits at the heart of the UK Government. He has said that

“The Government is committed to working closely with the Devolved Governments to deliver effective outcomes for people across the UK”,

and that

“we recognise that the operation of the UK Internal Market Act can be improved, including more certainty and clarity”.

That is where the other part of the debate sits.

Christine Grahame: Will the member take an intervention?

Martin Whitfield: I apologise to Christine Grahame. I need to make progress.

I want to deal with the other element of the debate, which is the Scottish Government and the Scottish Parliament. When listening to contributions, it is interesting that the phrases “Scottish Government” and “the will of the Scottish Parliament” are interchanged so frequently when assurance is needed that the whole Parliament has agreed to something, rather than its having been the will of the Scottish Government. It is interesting to revisit Jackson Carlaw's contribution, who has the privilege of being able to look back at the 2007 to 2011 Government. I hope that his

speech was in no way heralding any intention to depart the Parliament on his own terms.

The Scottish Government is a minority Government. It has tried to reach out to other parties and on some occasions it has achieved that, but not with the certainty, strength or clarity of previous Scottish Governments. We need to remember that, under the Scotland Act 1988, in essence, the chamber was set up so that there would be a Government of minorities, and that it would take from the strength and wisdom of people across Scotland in order to work together. That is a skill that needs to be practised, attuned and constantly revisited. Jackson Carlaw made a point about having the ability to walk the corridors and talk to people. I feel that that is unduly lacking in Parliament now, for whatever reason. Having taken an intervention from the Minister for Parliamentary Business, it would be interesting to be invited to consider that and to see where, across the Parliament, we can find agreement on the important things, such as the issues that Alex Rowley raised—the NHS, housing and education.

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): I point the member to the progress that has been made on the budget, and to the fact that the Liberal Democrats and the Scottish Greens took advantage of having the kinds of meetings that he is suggesting. Those can happen, but it takes two sides. If only Scottish Labour had been part of that process, its members might not be sitting on their hands at stage 3.

The Deputy Presiding Officer: I will give you a bit of time back, Mr Whitfield.

Martin Whitfield: I mean this with the greatest respect, but perhaps therein lies the challenge for those who are in the Government. The challenge is to reach out across the chamber and to work harder to seek consensus. Perhaps then, Scotland will have a Parliament that it can remember and respect.

16:42

Stephen Kerr (Central Scotland) (Con): Where to begin in summing up the debate? Let us all agree on one thing: our Scottish Parliament was created to serve the people of Scotland. It was meant to be a place of progress, pragmatism and partnership in a strong and united UK, but under the SNP, it has been reduced to a platform—as we have heard in the debate, even from the Deputy First Minister—for grievance, fantasy division and failure. That is the real threat to the Parliament.

Kate Forbes: Will the member take an intervention?

Stephen Kerr: I will take a short intervention.

Kate Forbes: Does the member accept that the electorate sent each of us here, and the platform, or otherwise—whatever word the member uses to describe it—is a Parliament that is accountable to the people?

Stephen Kerr: The Parliament is accountable to the people, but the people expect parliamentarians to behave in a certain way. *[Laughter.]* Well, members can laugh. Was a great mirror dropped in front of members that they had such a laugh?

Let us talk about power. Since 1999, and after the 2014 referendum and Brexit, the Parliament has been entrusted with many new and significant powers, which should be used to change lives for the better. What has the SNP done? It has squandered them. Alex Rowley made the point that either the SNP has let the powers gather dust, or worse, it has wielded them with such incompetence—the most expensive minister in the history of devolution delivered a reminiscence on the deposit return scheme—that it has caused more harm than good.

Let us deal in facts. Scottish trade to the rest of the UK is worth more than £52 billion annually, which is 60 per cent of our total exports. That is not a made-up statistic for debate but an economic reality. The internal UK market is the foundation of Scotland's prosperity, but the SNP attacks it and undermines it, knowing full well that doing so is to Scotland's detriment—yet it has no problem whatsoever with the European Union's internal market. There is not a peep, murmur or protest.

When we were in the EU, we were on the receiving end of 12,000 new regulations a year.

Lorna Slater: Will Stephen Kerr take an intervention?

Stephen Kerr: Yes, I will hear from the most expensive minister in the history of devolution.

Lorna Slater: Does Stephen Kerr recognise that the conditions of membership of the European Union are substantially different? Things such as environmental regulation are a floor, not a ceiling. We would have more freedom in that union.

Stephen Kerr: Twelve thousand new regulations arrived in this country every year when we were members of the European Union. Where was the outrage then from the SNP about our lack of ability to change or alter those? We just had to accept them. Where were its demands then for scrutiny, legislative consent or sovereignty? They were nowhere. However, when the UK Government brings in sensible and necessary legislation to protect seamless trade in our country, SNP members wail, whinge and throw their hands up in horror. It is nothing short of nonsense. It is incoherence of the highest order.

The debate is about not principle but point scoring. It is about the SNP's relentless, tiresome, never-ending campaign of grievance against Westminster. The SNP does not oppose regulatory frameworks; it just opposes anything with "UK" in the title—and let us not forget its ultimate ambition, which is to drag Scotland back into the European Union. It would swap our seat at the table in the United Kingdom for the status of a voiceless and insignificant region in the EU. That is its plan and its vision for Scotland.

Speaking of hypocrisy, let us talk about Labour. Labour mumped and moaned about the UK Internal Market Act. Oh, how it protested and blustered, all for the sake of political point scoring. However, let us get to the truth. In the debates that have been referenced, I told the Parliament that Labour would never repeal the act if it ever got into power. Guess what? It will not do so. Repealing the act is off the agenda. It will not do it. It never intended to do it. Never has an incoming Government shown such a blatant lack of integrity as has this Labour Government. The people have seen through it. It breaks every promise that it makes. It does not have a plan. It does not have a clue.

That is the reality that we face. Audit Scotland has ripped apart the SNP's record in government. Reports lay bare the SNP's incompetence. The NHS is in crisis. Infrastructure is delayed and deteriorating. Education is slipping backwards. Let us be clear that the SNP's failures are not accidental and are not one-offs but patterns of mismanagement, poor governance, deflection and denial.

Let us remind ourselves that the Parliament was meant to be a place of robust debate, scrutiny and solutions. However, under the SNP, the Parliament has been reduced to being a mouthpiece for nationalism. As we have seen this week, debate is stifled. Committees are stuffed with party loyalists. Laws are rushed through with minimal oversight or scrutiny. Framework bills hand unchecked power to ministers. That is not democracy but press-release democracy—an insult to democracy. The real threat to this Parliament is not Westminster but the SNP's misuse of its powers and its obsession—as we have heard again today—with grievance politics.

I say to Jackson Carlaw that I wish that the people of Scotland watched Scottish Parliament TV. However, no one is watching, because it is predictable and boring. The people of Scotland are sick to the back teeth of the SNP's rhetoric of division and grievance. The SNP is the threat to devolution.

I will be clear. The United Kingdom Internal Market Act 2020 is not a threat but a guarantee of economic stability and seamless trade and an

underpinning of our prosperity, and it must be protected. The Scottish Conservatives would restore this Parliament to what it is meant to be—a Parliament that serves the people and delivers results. The SNP has failed and Labour is failing. Scotland demands better, and the Scottish Conservatives can deliver the common sense that the people of Scotland now want to see.

The Deputy Presiding Officer: I call Angus Robertson to close on behalf of the Scottish Government. If he could take us to 5 pm, that would be very helpful.

16:50

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): Before today's debate, I wondered to myself whether we might finally hear any plausible justification for the internal market act. More than four years after it was imposed by the previous UK Government, without the consent of any devolved legislature, I wondered whether someone might be able to set out the reasons why it was necessary. Of course, we have heard no such arguments, because there are no good reasons for the internal market act. It remains utterly indefensible. No one seriously believes that the act is necessary to protect intra-UK trade and Scottish jobs—that is a total nonsense. It is entirely possible to ensure that there are no unnecessary barriers to trade and to have a system of workable, proportionate regulatory co-operation while, at the same time, respecting devolution and the powers of this Parliament.

The internal market act was always driven by political calculation—it was not a policy necessity. Despite the people of Scotland rejecting Brexit, the previous UK Government used it as a pretext to attack devolution and this Parliament's powers. It tried to pretend that the act simply replaced European Union rules. That is untrue. The European single market provides a well-functioning, balanced, proportionate and rules-based system of market oversight.

Stephen Kerr: Will the cabinet secretary give way?

Angus Robertson: Not at the moment.

The internal market act introduced an arbitrary, opaque and unaccountable regime in which laws passed by a democratically elected legislature can be nullified on a whim and in which decisions on matters of profound importance to the people of Scotland can be set aside at the discretion of an unaccountable minister in London.

Stephen Kerr: Will the cabinet secretary give way on that point?

Angus Robertson: I have said that I am not giving way at this stage. I have a lot to get through.

Yes, the election of a new UK Government last July on a manifesto commitment to reset relations after the deep damage done to devolution by the previous Government offered grounds for hope. However, the evidence so far suggests that either the new UK Government does not grasp the damage that the internal market act has done and is doing, or it simply is not interested.

Rachael Hamilton rose—

Angus Robertson: To unilaterally rule out repeal of the act, given the position of the Scottish Government and the Scottish Parliament, the position of the Scottish Labour Party, the position of the Welsh Government, the position of the Welsh Parliament and the position of the Welsh Labour Party, is totally unacceptable. The new UK Government must think again. It must commit to working with other Governments of the UK to deliver a better, workable and agreed alternative to the discredited and the unworkable internal market act.

I will briefly address the points raised by members, including Stephen Kerr and Rachael Hamilton. The first point is that there is a misapprehension among some members of this Parliament, particularly those on the Conservative benches, who do not seem to understand that there are things known as common frameworks. Those are the basis of dealing with internal market issues. Common frameworks were introduced before the internal market act but they have never been allowed to work properly. That is why the internal market act is utterly and totally superfluous and dangerous.

Neil Bibby's Alice through the looking-glass logic welcomes a UK Labour Party review that rejects the position of his party in this Parliament. It is utterly baffling.

Lorna Slater reminded members of how the internal market act has been used to overrule the Scottish Parliament without evidence, without justification and without democratic accountability.

Willie Rennie was absolutely right to say that the IMA should be repealed. It is strange, then, that the UK Government ruled that out, despite that being the position of the Scottish Labour Party and MSPs across that side of the chamber. Incidentally, that is the position of five out of the six political parties in this Parliament.

George Adam gave us a powerful reminder of the dangers of the internal market act, whereas Jackson Carlaw, in his usual interesting and enjoyable way, lamented about the workings of devolution. Perhaps, on reflection, he might also

acknowledge that the internal market act drives a coach and horses through the devolution settlement.

Kenneth Gibson tutored those of us who do not appreciate the limits of devolution and those who choose to use the rhetoric of Scotland having one of the strongest devolved Parliaments in the world. One would no doubt fail one's higher modern studies course if one were to write such a thing.

Alex Rowley thinks that today's debate is depressing, but he apparently does not find it depressing that his party's position in the Scottish Parliament is being blocked by his own party at Westminster. I found that particularly baffling.

Emma Roddick was right to point out that the IMA has impacts across the powers of devolution. It impacts on all the issues that Alex Rowley and others raised as being important.

Foysoyl Choudhury seemed content with the wording of a UK consultation that rules out his own position on IMA repeal. He wanted to hear a Scottish Government contribution to the consultation. It is simple: repeal the internal market act. That is the position of the Parliament and it was the position of his party. It is beyond me why he and the rest of his colleagues have done a U-turn.

Foysoyl Choudhury was followed by Martin Whitfield, who made reference to a reset. I agree that a reset would be a tremendously good thing. However, I find it odd that his party thinks that a reset in the relationship can be brought about by the UK Government ignoring his position and the position of members on his front bench, and by his colleague, the representative for East Lothian in the UK Parliament, ignoring him on a matter such as this.

Martin Whitfield: Will the cabinet secretary give way on that point?

Angus Robertson: I am happy to give way to the member so that he can explain why he has U-turned on his own position.

Martin Whitfield: Is the tone, attitude, approach and view that is being taken in the cabinet secretary's speech and the speeches of others conducive to a relationship with the UK Government that is productive, which is how I have heard the relationship described by members on the Government front bench?

Angus Robertson: I say very gently to Martin Whitfield, who talked wistfully in his speech about the need for cross-party co-operation: we had it. We agreed. The Scottish Labour Party agreed with the Scottish National Party, the Scottish Green Party, the Scottish Liberal Democrats and Alba. We agreed by a clear majority in the Parliament that the IMA should be repealed. Sadly, it is the

Scottish Labour Party that has given up on cross-party co-operation and it is Martin Whitfield who is prepared to accept the ruling out of his position, his party's position, the Government's position and the Parliament's position. That is utterly beyond me.

This point is the most baffling thing of all. Every member of the Parliament knows that, if one is having a review, it is not difficult to consider the broadest range of options. Why did Martin Whitfield's colleagues in Westminster, including Douglas Alexander, decide that they were going to rule out his position and his own party's position? It is utterly baffling. It would have cost nothing to do that and they should have done it, but they deliberately chose not to do it. I am sorry—that is not a reset.

I believe that an alternative, workable system is easily achieved with political will and political imagination. We have the blueprint for a better system in the form of common frameworks. As has been noted, the UK Government itself proposed that common frameworks should be the principal means of managing regulatory divergence by agreement.

However, the UK Government has yet to set out how that would be achieved. The IMA applies automatically in nearly every case, with almost no exceptions. What scope is there for sensible, evidence-based engagement when the act renders such engagement meaningless? What incentive is there to agree approaches that ensure regulatory coherence while respecting devolution when the act can simply nullify the effect of a devolved law? *[Interruption.]*

The Presiding Officer (Alison Johnstone): Mr Kerr.

Angus Robertson: We need more than vague words. We need a recognition that the internal market act is utterly discredited and a commitment to co-design a new workable replacement.

The previous UK Government used Brexit—which was rejected by the people of Scotland—to launch a sustained and systematic attack on the principle and purpose of devolution. The IMA is the most toxic element of that legacy and it must be consigned to the dustbin of history.

The Presiding Officer: That concludes the debate on protecting the powers of the Scottish Parliament.

Renters' Rights Bill

17:00

The Presiding Officer (Alison Johnstone): The next item of business is consideration of motion S6M-16499, in the name of Paul McLennan, on the Renters' Rights Bill, which is United Kingdom legislation.

Motion moved,

That the Parliament agrees that the relevant provisions of the Renters' Rights Bill, introduced in the House of Commons on 11 September 2024, which restrict the behaviour of private landlords, in relation to those with children and those who are benefit claimants, namely clauses 49, 52, 54, 137, 139, 142 and 145 of the Renters' Rights Bill, so far as these matters fall within the legislative competence of the Scottish Parliament and alter the executive competence of Scottish Ministers, should be considered by the UK Parliament.—*[Paul McLennan]*

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

Business Motions

17:00

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-16519, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 25 February 2025

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 3 Proceedings: Budget (Scotland) (No 4) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 26 February 2025

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture, and Parliamentary Business; Justice and Home Affairs

followed by Scottish Green Party Business

followed by Appointment of Member of the Standards Commission for Scotland

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 27 February 2025

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Education and Skills

followed by Scottish Government Debate: Local Government Finance (Scotland) Order 2025

followed by Scottish Government Debate: Increasing Investment in Scotland

followed by

Business Motions

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

Tuesday 4 March 2025

2.00 pm

Time for Reflection

followed by

Parliamentary Bureau Motions

followed by

Topical Questions (if selected)

followed by

Scottish Government Business

followed by

Committee Announcements

followed by

Business Motions

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

followed by

Members' Business

Wednesday 5 March 2025

2.00 pm

Parliamentary Bureau Motions

2.00 pm

Portfolio Questions: Deputy First Minister Responsibilities, Economy and Gaelic; Finance and Local Government

followed by

Scottish Government Business

followed by

Business Motions

followed by

Parliamentary Bureau Motions

followed by

Approval of SSIs (if required)

5.00 pm

Decision Time

followed by

Members' Business

Thursday 6 March 2025

11.40 am

Parliamentary Bureau Motions

11.40 am

General Questions

12.00 pm

First Minister's Questions

followed by

Members' Business

2.30 pm

Parliamentary Bureau Motions

2.30 pm

Portfolio Questions: Net Zero and Energy, and Transport

followed by

Committee Debate: Tackling Drug Deaths and Drug Harm

followed by

Business Motions

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 24 February 2025, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Jamie Hepburn*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S6M-16520, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, on a stage 2 timetable.

Motion moved,

That the Parliament agrees that consideration of the Housing (Scotland) Bill at stage 2 be completed by 29 May 2025.—[*Jamie Hepburn*]

Motion agreed to.

Parliamentary Bureau Motions

17:01

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of three Parliamentary Bureau motions. I ask Jamie Hepburn, on behalf of the Parliamentary Bureau, to move motion S6M-16521, on stage 2 consideration of a bill, and motions S6M-16522 and S6M-16523, on approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that stage 2 of the Housing (Scotland) Bill be taken as follows—

(a) under Rule 9.7.1(b) and 9.7.4—

(i) the Social Justice and Social Security Committee to consider in the following order—

(A) part 5

(B) sections 48 to 50 in part 6

(ii) the Local Government, Housing and Planning Committee to consider in the following order—

(A) parts 1 to 4

(B) part 6 (except sections 48 to 50)

(C) part 7, with the schedule being considered immediately after the section that introduces it

(D) the long title

(b) any amendments specifically on matters relating to the part 5 homelessness prevention provisions or the part 6 fuel poverty provisions, except any such amendments to the schedule or the long title, are to be considered by the Social Justice and Social Security Committee; and

(c) all amendments not covered by paragraphs (a) and (b) are to be considered by the Local Government, Housing and Planning Committee.

That the Parliament agrees that the Moveable Transactions (Scotland) Act 2023 Amendment Regulations 2025 [draft] be approved.

That the Parliament agrees that the Registers of Scotland (Fees and Plain Copies) Miscellaneous Amendments Order 2025 [draft] be approved.—[*Jamie Hepburn*]

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

Decision Time

17:01

The Presiding Officer (Alison Johnstone):

There are five questions to be put as a result of today's business. The first question is, that amendment S6M-16511.2, in the name of Rachael Hamilton, which seeks to amend motion S6M-16511, in the name of Kate Forbes, on protecting the powers of the Scottish Parliament, 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.

17:02

Meeting suspended.

17:04

On resuming—

The Presiding Officer: We move to the vote on amendment S6M-16511.2, in the name of Rachael Hamilton, which seeks to amend motion S6M-16511, in the name of Kate Forbes, on protecting the powers of the Scottish Parliament. Members should cast their votes now.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 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)
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 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)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)

Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Presiding Officer: The result of the division on amendment S6M-16511.2, in the name of Rachael Hamilton, is: For 28, Against 74, Abstentions 17.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S6M-16511.1, in the name of Neil Bibby, which seeks to amend motion S6M-16511, in the name of Kate Forbes, on protecting the powers of the Scottish Parliament, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed. I call Paul Sweeney, who is online, for a point of order.

Paul Sweeney (Glasgow) (Lab): On a point of order, Presiding Officer. My app would not connect. I would have voted—[Inaudible.]

The Presiding Officer: Would you mind saying that again, Mr Sweeney? We did not quite catch it here.

Paul Sweeney: Apologies, Presiding Officer. My app would not connect. I would have voted yes.

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

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)

Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 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)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-16511.1, in the name of Neil Bibby, is: For 23, Against 97, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-16511, in the name of Kate Forbes, on protecting the powers of the Scottish Parliament, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): On a point of order, Presiding

Officer. My device would not connect. I would have voted yes.

The Presiding Officer: Thank you, Mr Macpherson. We will ensure that your vote is recorded.

Pauline McNeill (Glasgow) (Lab): On a point of order, Presiding Officer. My device would not connect at all. I would have voted no.

The Presiding Officer: Thank you, Ms McNeill. We will ensure that your vote is recorded.

Nicola Sturgeon (Glasgow Southside) (SNP): On a point of order, Presiding Officer. The app would not connect. I would have voted yes.

The Presiding Officer: I can confirm that your vote has been recorded.

For

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

McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
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 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 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)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)

Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on motion S6M-16511, in the name of Kate Forbes, on protecting the powers of the Scottish Parliament, is: For 73, Against 47, Abstentions 0.

Motion agreed to,

That the Parliament notes the publication of the UK Government's consultation and review of the United Kingdom Internal Market Act 2020, which sets out that it will "not consider whether to repeal the UK Internal Market Act or any part of it"; recalls that both the Scottish Parliament and Welsh Senedd refused to give the Act legislative consent; notes the position of the Welsh Government, which opposes the Act, believing it to be "an unwarranted attack on devolution"; reaffirms its decision regarding the Act on 3 October 2023, and calls for it to be repealed.

The Presiding Officer: The next question is, that motion S6M-16499, in the name of Paul McLennan, on the Renters' Rights Bill, which is UK legislation, be agreed to.

Motion agreed to,

That the Parliament agrees that the relevant provisions of the Renters' Rights Bill, introduced in the House of Commons on 11 September 2024, which restrict the behaviour of private landlords, in relation to those with children and those who are benefit claimants, namely clauses 49, 52, 54, 137, 139, 142 and 145 of the Renters' Rights Bill, so far as these matters fall within the legislative competence of the Scottish Parliament and alter the executive competence of Scottish Ministers, should be considered by the UK Parliament.

The Presiding Officer: Unless any member objects, I propose to ask a single question on three Parliamentary Bureau motions.

The final question is, that motion S6M-16521, on stage 2 consideration of a bill, and motions S6M-16522 and S6M-16523, on approval of Scottish statutory instruments, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that stage 2 of the Housing (Scotland) Bill be taken as follows—

(a) under Rule 9.7.1(b) and 9.7.4—

(i) the Social Justice and Social Security Committee to consider in the following order—

(A) part 5

(B) sections 48 to 50 in part 6

(ii) the Local Government, Housing and Planning Committee to consider in the following order—

(A) parts 1 to 4

(B) part 6 (except sections 48 to 50)

(C) part 7, with the schedule being considered immediately after the section that introduces it

(D) the long title

(b) any amendments specifically on matters relating to the part 5 homelessness prevention provisions or the part 6 fuel poverty provisions, except any such amendments to the schedule or the long title, are to be considered by the Social Justice and Social Security Committee; and

(c) all amendments not covered by paragraphs (a) and (b) are to be considered by the Local Government, Housing and Planning Committee.

That the Parliament agrees that the Moveable Transactions (Scotland) Act 2023 Amendment Regulations 2025 [draft] be approved.

That the Parliament agrees that the Registers of Scotland (Fees and Plain Copies) Miscellaneous Amendments Order 2025 [draft] be approved.

The Presiding Officer: That concludes decision time.

Rural Crime and Equipment Theft

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-16304, in the name of Rachael Hamilton, on tackling the rise in rural crime and equipment theft in Scotland. The debate will be concluded without any question being put.

Motion debated,

That the Parliament acknowledges the reported concerns regarding rising rural crime and its impact on communities across Scotland, including in the Ettrick, Roxburgh and Berwickshire constituency; notes that, according to NFU Mutual, the cost of rural crime in Scotland increased by 34.9% between 2022 and 2023, rising from £1.4 million to £1.8 million, contributing to a UK-wide cost of £58.8 million; recognises that 91% of those surveyed by NFU Mutual believe that rural crime is becoming more organised; notes that equipment and machinery theft, including agricultural machinery, construction equipment and power tools, has a significant financial and operational impact on farmers and businesses across urban and rural Scotland; acknowledges what it considers the effectiveness of technical preventative measures such as the CESAR scheme, tracking devices, immobilisers, PIN-protected GPS systems, and mechanical immobilisers, which it understands are more widely used in other parts of the UK; understands that the Equipment Theft (Prevention) Act 2023 was passed with cross-party support in the UK Parliament to address these issues; notes the belief that there is an opportunity to strengthen equipment and machinery crime prevention in Scotland, and further notes the calls on the Scottish Government to engage with industry experts, Police Scotland and victims to explore further action to tackle this type of crime.

17:14

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I am pleased to open the debate on the rising threat of rural crime and its devastating impact on communities across Scotland. I thank my colleagues for listening.

Rural crime is not just a problem for farmers and others who live in the countryside. It affects the whole of Scotland, from the Borders to the Highlands, and from Aberdeenshire to Ayrshire, and even urban areas, where stolen equipment is often sold on or used for criminal activity.

The figures are stark. According to the National Farmers Union Mutual Insurance Society, the cost of rural crime in Scotland rose by 34.9 per cent between 2022 and 2023, reaching a staggering £1.8 million. That is part of a wider United Kingdom trend, with the total cost of rural crime now sitting at £58.8 million. Behind those figures are real people—farmers, businesses and families—who are left counting the cost, not just financially but emotionally and operationally.

The nature of rural crime is changing. It is no longer just opportunistic theft. Ninety-one per cent of respondents to a survey by NFU Mutual believe

that rural crime is becoming more organised and sophisticated. Criminal gangs are systematically targeting agricultural machinery, construction equipment, power tools and even the GPS systems that are vital for modern precision farming. Such thefts not only lead to financial losses; they disrupt work, threaten food production and undermine the safety and security of rural communities.

Let me be clear that this is not just a rural issue. For example, if a farmer in the Borders has their tractor stolen, it could be sold on in Glasgow or used in further criminal activity elsewhere in Scotland or across the United Kingdom. When thieves strip GPS systems from farm machinery in Aberdeenshire, it affects food production that supplies all our supermarkets. This type of crime has a ripple effect right across the United Kingdom, impacting supply chains, businesses and consumers.

Other parts of the UK have taken decisive action to prevent equipment theft, but the Scottish National Party Government is lagging behind. The Equipment Theft (Prevention) Act 2023 was passed by the UK Parliament with cross-party support. It introduced tighter regulations to prevent the theft and resale of machinery ranging from tools to tractors. That was a significant step forward, but more must be done to strengthen crime prevention efforts here in Scotland.

We have effective tools at our disposal. For example, the construction and agricultural equipment security and registration scheme—CESAR—uses unique markings and tracking devices and has been highly successful in deterring theft in England and Wales, yet uptake for it in Scotland remains lower. Other security measures, such as immobilisers, personal identification number-protected GPS systems and mechanical deterrents, have also proven effective. Why are such protections not more widely encouraged and supported in Scotland?

The Scottish Government has a clear opportunity to engage with industry experts, Police Scotland and the victims of those crimes to develop stronger preventative strategies. That means better policing resources, more rural patrols and tougher action against organised crime groups.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I was surprised to hear that there is no clear, identifiable traceability for tractors, for example. I had not realised that. Should that be implemented in the UK as a matter of course, via either the UK Government or local authorities? I would like to see similar measures applying to quad bikes, off-road vehicles and e-bikes, for example.

Rachael Hamilton: Bob Doris is absolutely spot on. The Equipment Theft (Prevention) Act 2023 that was passed by the UK Parliament covered three aspects: the creation of a comprehensive database for registration of equipment; forensic marking; and the use of immobilisers. However, I would like us to go further in Scotland, because there is so much more that we can do. As I mentioned, the CESAR scheme is very effective.

Farmers, rural businesses and construction businesses are the backbone of Scotland's economy. They work hard every day to build houses, provide food, maintain our landscapes and drive economic growth. They deserve to feel safe, and they deserve the Parliament's full support in tackling the rising threat of rural crime.

I call on the Scottish National Party to take the issue very seriously, listen to those affected, engage with industry experts and take action to prevent such crime from continuing to escalate. Scotland cannot afford to fall behind on rural security.

I thank representatives of the following organisations for coming to my rural round-table event: the national rural crime unit; NFU Mutual; the Association of British Insurers; ATV Services Scotland; and Durham University. The Parliament very kindly allowed us to put a yellow JCB right in front of the building to demonstrate the CESAR scheme.

I look forward to hearing contributions from members, in particular Rhoda Grant as a Labour member, because it is the Labour Government that is holding up the issue for Scotland. All that it needs to do—as I have asked for time and time again—is have the Minister of State for Policing, Fire and Crime Prevention, Dame Diana Johnson, publish the consultation responses and move forward with regulations as secondary legislation. We can then move forward in this Parliament to support all the aforementioned people. We in Scotland are a soft target, and I look forward to hearing contributions from other members on this issue.

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

17:20

Tim Eagle (Highlands and Islands) (Con): I remind everyone of my entry in the register of members' interests, as I am a farmer myself.

I congratulate my colleague Rachael Hamilton on bringing to the chamber an interesting and important debate, and on her on-going work in developing an equipment theft bill for Scotland that is akin to the Equipment Theft (Prevention) Act 2023 that was passed at Westminster.

It is quite shocking to realise, looking at Rachael Hamilton's motion, that the cost of rural crime in Scotland increased by £400,000 between 2022 and 2023, from £1.4 million to £1.8 million. That is a pretty staggering increase. As well as costing our farmers more money, rural crime is having a much wider impact on our rural communities.

Scottish Land & Estates notes that the constant threat of rural crime and the impact that it can have on farm business is a key driver of poorer levels of mental health in the rural sector. Not only that, but we know that the increase in rural crime means that those who are on the front line of Scottish agriculture are now forced to make a decision on whether to spend more money on security measures and the associated increased costs of insurance rather than investing elsewhere in the business.

Although more work is needed to see where such instances of rural crime are more common, we know that more rural and sparsely populated areas are often easier targets for such crime. The Highlands and Islands, which is the region that I represent, is no exception to that.

I commend the efforts of Police Scotland, and in particular those officers on the front line in rural communities, for their work in liaising with our farmers and crofters to prevent and investigate theft in circumstances that can often be difficult. However, it is worrying that rural crime and machine theft "is becoming more organised", as NFU Mutual notes in "Rural Crime Report 2024", its most recent report on the subject. The report states:

"There is strong demand and value for used equipment across the world and intelligence has revealed some crimes are being committed by well-organised crime groups with international links."

In addition, it is no secret that there are fewer front-line police officers in Scotland now in comparison with when Police Scotland was created in 2013, and organised criminals know that. That is why more must be done to invest in rural policing so that farmers have greater confidence that this growing problem can be tackled effectively.

I cannot speak in the debate without talking about fly-tipping. Not long ago, I was in my house, which is at the end of a dead-end street, and I watched a van come along and park up. I did not think anything of it, and it disappeared 10 minutes later. However, as I drove down to pick up my kids later that day, I saw a massive pile of car waste and rubbish sitting there. Fly-tipping is such a big problem in our communities, and we must tackle it.

I could not believe it—I went down with my tractor later on and picked it all up, and two minutes later, I had taken it to the dump in Buckie.

I thought, "This person has driven further to drop this stuff near my house, and it has taken them longer than it would have taken them to go to the dump in Buckie, which is open pretty much all the time—it doesn't make sense." I put out a call, here and now, that more people should just stop fly-tipping, as it makes no sense whatsoever.

As I said, I commend Rachael Hamilton for the work that she is doing on a machinery theft bill. Such legislation should already be in place, and we want to see it come in. GPS trackers are readily available, and we should be putting them on machinery. It is amazing, when I look around my farmyard and start calculating what things are worth, to see—even where those things are old—just what the value of everything is, and it is all just laying out there. We should put GPS trackers on those things.

Finally, I note that I had the pleasure of being at the Turriff show a couple of years ago with the Scottish Partnership Against Rural Crime and Police Scotland. SPARC is doing amazing work to tell farmers of all the options that are currently available to them, so I say to any farmers, or anybody living rurally, who may be listening to the debate that they should go to its website and have a look. I hope that we see Rachael's bill coming to Parliament in the future.

The Deputy Presiding Officer: Thank you, Mr Eagle—always full names, please.

17:24

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I, too, congratulate my colleague in the neighbouring constituency on securing the debate. Over the many years during which I have represented Midlothian South, Tweeddale and Lauderdale, I have been well aware of the impact and incidence of what is termed "rural crime", which is defined by NFU Scotland as

"any crime that occurs in a rural location or affects any person living, working or visiting a rural location".

I thank the NFUS in particular for its briefing.

Relative to the population, the volume of rural crime is lower than in urban locations. However, the knock-on effect in a rural community or environment often has a much deeper and more far-reaching impact, both on the victims and on the community as a whole. I note that Police Scotland, in recording crime, does not—I believe—categorise crimes as rural or urban. As a result, therefore, neither Police Scotland nor the Scottish Government have data on "rural" crimes such as the theft of agricultural machinery, plant or fuel or timber; it is simply recorded under the wider category of theft.

We therefore rely on the NFUS for the most recent figures, which are highlighted in the motion and to which other speakers have referred. They show the cost of rural crime in Scotland rising from £1.4 million in 2022 to £1.8 million in 2023. The number of claims has risen by 22 per cent. Claims for machinery theft cost £1.1 million in 2023, and claims for the theft of quad bikes and GPS kits cost £335,000 and £363,000 respectively.

Farms are seen as easy targets, and for obvious reasons it is difficult to self-police.

Jamie Halcro Johnston (Highlands and Islands) (Con): I thank the member for taking an intervention, and I declare an interest as a partner in a farming business.

The member talks about the cost. There is also the cost of delays to undertaking work, and the impact, for example, of losing a quad bike in that it makes the job harder. All those things—just going by the insurance figures—are also huge costs, not only financially but in terms of farmers' time.

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

Christine Grahame: Thank you. I absolutely concur with what the member said—that is strange for us both, is it not? Anyway.

The Scottish Borders partnership against rural crime brings together key organisations working together to tackle that crime, in particular the increasing threat that is posed by serious organised crime groups that operate most often to order. They cannot put a tractor or a combine harvester up for sale on eBay—they have stolen it knowing exactly where they are going to sell it. The partnership includes—as one would expect—Police Scotland, the Scottish Fire and Rescue Service, the NFUS, Scottish Land & Estates, the Scottish Environment Protection Agency, the River Tweed Commission and the Scottish Society for the Prevention of Cruelty to Animals, which are all working together to prevent and combat rural crime.

There are some measures that those in the farming community and beyond can take to help. If people see something suspicious, out of the ordinary and out of place, they can, if intervention is needed immediately, phone 999, or otherwise the 101 number, or they can report anonymously through Crimestoppers or even on the Police Scotland website. They should not, however, put themselves at risk by confronting intruders, no matter how angry and compelled to do so they may feel, because these are really serious criminals. People can put in place measures to deter and prevent such crime—for example, marking, tracking and securing their farm machinery and tools—including in the areas that are most impacted. If those measures are taken,

that must surely help to reduce insurance premiums.

Indeed, many years ago, I suggested to Police Scotland that it should have a stall at the Borders shows where farmers could discreetly report their concerns, in particular about the theft of livestock. I knew that farmers often felt guilty—although they should not—because they thought that such thefts could somehow have been prevented and that they were not protecting their livestock. Farmers have to remember, however, that these criminals are well organised. They have scoped out their targets and have the delivery all in hand, even shipping abroad. It is very difficult to combat such crime, therefore, as it is not casual these days.

I ask the Scottish Government, therefore, whether it would be helpful if Police Scotland categorised rural crime as I defined earlier, thus providing invaluable data to help detect and deter. Lest we get lost in figures and data, however, I stress that each and every rural theft is personal. It is distressing to the victim or victims, and must make them feel very insecure in their remote settings—let us not forget that.

17:29

Douglas Ross (Highlands and Islands) (Con): I, too, congratulate Rachael Hamilton on bringing the debate to the chamber and on the excellent work that she has done, locally and nationally, on the potential bill that we could—I hope—pass in the Parliament.

I refer members to my declaration of interests, as my wife is a police sergeant with Police Scotland. I say that because I will mention policing, as Tim Eagle did.

One of the issues in more remote and rural areas is the availability of police resources. Christine Grahame was right to outline what people should do when they see a crime—phone either 101 or 999—but it reminded me of something that I was told just a couple of weeks ago. I was at a family funeral up in Ardgay when I heard that someone had witnessed a theft out in a forest, in a very remote area. The theft had been on-going when they saw it, so they phoned the police. That is up in the Highlands, but the nearest available unit was up in Wick, so it would be well over an hour before it got to the situation. That is a problem, and criminals are taking advantage of the fact that they know that the response from the police will very often be quite slow—if they come at all—because police resources are very stretched.

It is right to mention, as Tim Eagle highlighted, the cost of machinery, which farmers know very well. However, Christine Grahame was right to speak about the cost of livestock, too. Some of the

livestock on our crofts and farms across Scotland have an extremely high value. For example, there are the tups that we see being sold at the sales, and there are cattle and even sheepdogs. There have been sheepdog thefts across Scotland. Those dogs are highly trained and a lot has been invested in them, and they are being stolen in addition to machinery.

Christine Grahame: My intervention is a comment on the theft of sheep, which has happened in a farm in my constituency. It was obviously a shepherd who had stolen the sheep and taken them down the old drovers' road. It was in the middle of nowhere, and the farmer did not find out until months later, at a specific time of year, that he had lost so many sheep.

Douglas Ross: It is very difficult. As members who watch—as I do—"This Farming Life" and such like will know, sheep are often in thousands of acres of hill. It can be the case that it is only at one point in the year that a farmer recognises that there has been theft, and by then it is too late to get evidence to prosecute someone.

It is sad, but it is a reality, that some thefts—a minority of them—are perpetrated by fellow farmers. We have to accept that, but we will, I hope, see such thefts minimised and, ultimately, eradicated.

I spoke with my local chief inspector, Mike McKenzie—who is the local area commander for Moray, based in Elgin—about rural crime in our area of my Highlands and Islands region. He gave me a good overview of what is currently happening, and he spoke about the north-east partnership against rural crime. The partnership is chaired by Police Scotland—it just so happens that Chief Inspector Mike McKenzie is the current chair—but it brings in a lot of other bodies, such as the NFUS, Scottish Water, Scottish Land & Estates and local authorities, to name just a few, and they are working together to support rural communities through prevention and education. It is important that they educate people on what resources they have available to support farmers and protect them from theft, and that they encourage farmers to take up those resources.

Mike McKenzie spoke about the partnership's work in Banff, where it spoke to an NFUS group about economic crime and fraud against farmers, so farmers are getting more information from it. He also told me about the campaigns that are being promoted. One such campaign, which will shortly be promoted at the royal northern spring show, is the "Police Stop Me" campaign. It will involve vehicles having a sign saying "Police Stop Me", which encourages police to stop them at certain hours of the day when one would not naturally expect them to be doing farming activities. It might be that those vehicles are, at that time, being

driven by someone who has stolen them. Such campaigns are very useful and important.

Chief Inspector McKenzie offered me the opportunity to meet our rural crime reduction team in Moray to hear further about its plans. After tonight's debate, and given the work that Rachael Hamilton has done, I will certainly be taking up that offer. I hope to hear tonight from the Minister for Victims and Community Safety positive comments about things that we can do to tackle the issue, one of which would be to support Rachael Hamilton's proposals for a bill.

17:33

Rhoda Grant (Highlands and Islands) (Lab): I, too, thank Rachael Hamilton for securing the debate and for hosting the drop-in session with NFU Mutual and the national rural crime unit. That highlighted the issue of theft of equipment, with the incidence of such theft and the costs increasing. Although insurance companies quite often pay out for such theft, the cost of insurance is borne by everybody who holds a policy, so it is not a victimless crime, and it adds to the cost of running farming businesses. In addition, as other members have mentioned, the personal impact can be enormous.

The cost of rural crime has increased by 35 per cent. Other members have mentioned the Equipment Theft (Prevention) Act 2023, and it would be good to hear from the minister whether the Scottish Government has looked at perhaps introducing legislation similar to the 2023 act. It would also be good to hear whether there are ways in which the Scottish Government could help to incentivise the installation of anti-theft and tracking devices, which would be very useful for those who have large and expensive pieces of equipment.

The increase in rural crime is happening at a time when rural police numbers are falling. I raised concerns some time ago about island policing with the Cabinet Secretary for Justice and Home Affairs. At that time, there was a situation on Uist and Eriskay in which no police were on duty when a serious incident had to be dealt with, so off-duty officers had to come in to deal with it. They had to work, and hold a prisoner, overnight—they should not have been working those hours while they were on duty, far less while they were off duty. They were working extremely long hours with no policing cover at all.

Sadly, those who commit crimes in rural areas know that that is the case for policing throughout rural Scotland. Although islanders have some protection against equipment theft—because thieves would need to get the equipment off the island undetected, which is difficult when they are

sitting in a ferry queue—they do not have protection against other forms of crime. Things such as bank closures, for example, have added to rural crime. Since 2015, there has been a 60 per cent decline in the number of bank branches, and rural Scotland has borne the brunt of those closures.

In the Highlands and Islands, there has been a huge loss of bank branches. For example, there has been a 72 per cent decline in Caithness and Sutherland, a 66 per cent decline in Moray and a 65 per cent decline in Ross, Skye and Lochaber. Criminals know that cash-based businesses will be holding much more cash if there is no local bank branch to enable them to deposit it. We know that those businesses are being targeted; criminals know where to look.

The lack of police means that there are more break-ins and thefts of property, as well as, as has been mentioned, thefts of animals. Although tagging and traceability systems make it difficult to sell stolen animals on the open market, there are many outlets for cheap meat where no questions are asked about where it came from. I read recently that it is estimated that that led to £2.7 million of losses to farmers in 2023. There are also ramifications for food safety, because people are buying meat without looking at the traceability.

We need to ensure that there is not a rural-urban divide with regard to fighting crime. We need to ensure that rural areas are adequately policed and that police have the equipment to deal specifically with rural crime. I hope that the debate highlights those issues, and I look forward to hearing the minister's response.

17:37

Finlay Carson (Galloway and West Dumfries)

(Con): Crime in any form is abhorrent and distressing, especially for the victim, whether it is an individual, a family or a business. I must touch on Christine Grahame's comments about the fact that a lot of crimes in rural areas are committed where people are on their own or at the end of long farm roads, with the police response often being miles away. Even neighbours might be far away. The police response in rural areas is often far too similar to that in urban areas. I have reported strange vehicles at the end of the road on which I live, which is quite remote, and the response that I get from the 101 number is less than helpful. A strange car at the end of a street in Glasgow is not the same as a strange car at the bottom of a rural driveway, and we need to appreciate that there are differences, as Rhoda Grant touched on.

Sadly, in the current climate of a sharp rise in inflation, it is becoming all too attractive for

individuals and organised gangs to turn to crime in order to make a fast and easy profit. Regrettably, as we have heard, there has been a meteoric 35 per cent increase in rural crime in Scotland. It now costs the UK more than £53 million, with farm equipment and machinery proving to be a hugely attractive target for thieves.

That is why the members' business debate that my Scottish Conservative colleague Rachael Hamilton has brought to the chamber is of vital importance, and I thank her for doing so. I wholeheartedly support her call for legislation in Scotland to tackle agricultural machinery and vehicle thefts, as it is becoming abundantly clear that tougher measures are needed if we are to break the vicious cycle.

In my Galloway and West Dumfries constituency, we have witnessed a number of thefts, which is possibly down to the fact that the ports at Cairnryan make it easier for criminals to get equipment out of the country to destinations across Europe. I recently met Superintendent Andrew Huddleston from the national rural crime unit, and he told me that Russia is becoming one of the favoured haunts for black-market agricultural vehicles, either to be used as spares or even to work on the land because of the trade restrictions that are in place.

He also said that criminals are becoming more sophisticated and organised, and thieves have been known to target several farms in one area in one night, using GPS to locate high-value equipment such as tractors and combine harvesters. It is worth mentioning that the cost of GPS theft has escalated sharply to more than £0.5 million. GPS is sophisticated equipment that is used to guide farm vehicles as they plough or seed, and it typically costs more than £10,000.

As we have heard, apart from the obvious financial loss, equipment theft gives farmers the additional headache of delays and disruption to subsequent harvesting and cultivation work. It is therefore clear that robust action is needed to assist the farming fraternity in any way, given that farmers do not exactly have their problems to seek at the moment—I will not even touch on the inheritance tax plans tonight. According to the general rule of thumb used by thieves and criminal gangs, if it is not securely bolted down, it is there for the taking.

Rural property has also been targeted, with even the lead on roofs being up for grabs, while bicycles, quad bikes and all-terrain vehicles are proving to be high on the hit list. In a bid to counter the rise in crime in Scotland, the Scottish Partnership Against Rural Crime has been set up to prevent and tackle rural crime, particularly the increasing threat that is posed by serious organised crime gangs throughout Scotland. The

multi-agency approach intends to be more visible and to understand local and national concerns.

I thank all the parties represented in the chamber tonight. I believe that they will support Rachael Hamilton's proposed bill that aims to prevent the theft and resale of stolen equipment and machinery in Scotland.

17:42

The Minister for Victims and Community Safety (Siobhian Brown): I am grateful to Rachael Hamilton for securing the debate and giving me an opportunity to respond.

Rural crime, such as the kind that has been outlined by members and by the member in her motion, is a serious issue. It can have hugely detrimental effects on communities, businesses and individuals. Our farms are the lifeblood of our communities. Those businesses, some of which have existed for hundreds of years, should not have to put up with that kind of crime, which is almost exclusively perpetrated by organised crime groups seeking high-value items that can be resold to fund other activities.

We have rightly spent some time discussing the theft of farm machinery, and I would like to spend a few moments talking about the work that the Scottish Government and our partners are doing, but I will address some of the points made by members before I get into that.

Rachael Hamilton and Rhoda Grant raised the Equipment Theft (Prevention) Act 2023, so it might be helpful to give members a bit of insight into where the Scottish Government is on that. It was a private member's bill that received Government and cross-party support down south. It was given royal assent on 20 July 2023 and it commenced in January 2024. It prohibits the sale of prescribed equipment without an immobiliser or a unique identifier.

Perhaps because it was a private member's bill, Scottish Government officials were not aware of it until we were approached by Police Scotland in late May 2023, when we found that there was insufficient time to fully consider the implications of the bill for Scotland, given where it was in its passage through Westminster. There are no immediate plans to replicate the Equipment Theft (Prevention) Act 2023 in Scotland, although the Scottish Government is awaiting further information on the impact of the act in England and Wales, as that could influence future decisions.

Rachael Hamilton mentioned in her motion several initiatives that are working well and I am always happy to meet the member and

stakeholders to discuss how we can improve things with respect to rural crime.

Rachael Hamilton: In past question-and-answer sessions in the chamber, the Cabinet Secretary for Justice and Home Affairs, Angela Constance, has very much welcomed that act and said that the Scottish Government was working with the Home Office. That is exactly the point that I made to Rhoda Grant: all that the Labour Government needs to do is publish the consultation responses and take forward secondary legislation through regulations; the Scottish Government can then enact the intention of the 2023 act. It is a really simple thing for the Government to do. We need to consider it because of that cross-border movement. Not only farmers but criminals move their equipment, and I do not want farmers to be left behind. It is really important that we replicate the act in Scotland.

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

Siobhian Brown: I am not aware specifically of what the cabinet secretary has commented on, but I am happy to raise the issue with her. I am sure that she will be happy to send a letter to the UK Government, if that would be worth while.

Christine Grahame mentioned Police Scotland's differentiating urban and rural crime in its data categories. That is a very valid point. Christine Grahame will know that that is an operational matter for Police Scotland, but I am happy to raise the matter to see whether Police Scotland has any concerns or is progressing any work in that area.

Christine Grahame: I appreciate that it is a matter for Police Scotland. I mentioned that when I addressed the point. I am sure that insurers could help, because they will know what they are insuring and whether a theft was in a rural or urban area. We should therefore start with the insurers.

Siobhian Brown: I thank Christine Grahame for highlighting that valid point.

Douglas Ross highlighted important issues about good partnership working, which is important. Having antisocial behaviour in my remit, I am acutely aware—

The Deputy Presiding Officer: Minister, I encourage you to speak into the microphone.

Siobhian Brown: I am acutely aware of how important it is to have partnership working with local authorities and local police—with lots of stakeholders—because they know the area best. Douglas Ross has highlighted some important work that is going on in his constituency.

I move on to the work that the Scottish Government and partners are doing to prevent

rural crime and mitigate its impact. Disrupting organised crime and diverting individuals away from it remains a priority for the Scottish Government and partners on the serious organised crime task force. However, in a rural setting, much of the work that is aimed at preventing organised crime is done through the work of the Scottish Partnership Against Rural Crime, which has been mentioned several times. The Scottish Government continues to work with partners across SPARC and through the continued expansion of the local partnerships against crime across Scotland. This sort of theft is a priority for the group.

The rural crime strategy for 2022 to 2025 was launched on 24 June 2022. All members of SPARC were involved in its drafting. The strategy adopts a holistic approach. Among other things, it aims to ensure that those members are alert to and understand local and national concerns that relate to rural and environmental crime and promote and improve rural community and environmental wellbeing whereby people can flourish and feel safe. The strategy sets out seven rural crime priorities, each with its own action plan. Those include the theft of agricultural and forestry machinery, plant and quad bikes and all-terrain vehicles.

As I have suggested, only by working in partnership can we hope to tackle this menace. SPARC and the local partnerships recognise the crucial role of working together towards a common goal. To do that effectively, they share intelligence on organised crime groups that operate across borders and provide specific information to the rural and farming community on how best to secure equipment and prevent its theft, as well as addressing the other crimes that are noted in the strategy.

Douglas Lumsden (North East Scotland)
(Con): Earlier, we heard from Tim Eagle about fly-tipping. Is fly-tipping one of the priorities that was listed, and what actions is the Scottish Government taking to reduce fly-tipping in rural areas?

Siobhian Brown: There are seven areas—I have them written down. Fly-tipping is one of the priorities of that strategy.

SPARC and the local partnerships also demonstrate crime prevention measures in relation to the marking, tracking and securing of farm machinery and tools, including in the most highly impacted areas. I fully appreciate that such theft is a significant concern to our rural communities and that it can have serious consequences for the agricultural sector in terms of cost and confidence. However, there have been some positive strides forward in relation to both

the number of crimes reported and the associated cost of this crime on rural communities.

Police Scotland's recent update on the work of SPARC highlights that in January 2025, a total of 69 rural crime incidents were reported, which is a decrease—albeit a small one—in the number of reported incidents across Scotland, with nine fewer reported crimes and offence incidents compared with the same period last year, when there were 78 crimes.

Where we see a clear difference in relation to the reduction in rural crime is in its total cost. In January 2025, that cost totalled £188,250, with a total of £44,400 having been recovered. That is a decrease in the monetary value of rural crime compared to the same period last year. In January 2024, the total reported rural crime figure was £221,675, but the recovered total at that point was only £16,500. Therefore, I hope that members can see that there has been a small but positive step in the past year.

The method of working with the SPARC model has proven so successful that Police Scotland is using it as the template for the Scottish partnership against acquisitive crime—known as SPAACE—which was created around 18 months ago to bring a partnership approach to preventing a number of forms of theft and fraud. It is at the forefront of efforts to tackle retail crime, which members have heard me talk about in the chamber previously.

On our support for Police Scotland more broadly, in 2025-26, the Scottish Government will increase police funding to £1.62 billion to support police capacity and capability. We are also providing almost £57 million in additional resource funding, which is an increase of 4 per cent compared with the 2024-25 published budget. That will support front-line service delivery and allow Police Scotland to make progress in key areas of transformation as outlined in its three-year business plan, which includes a strong commitment to delivering the best service for communities around Scotland, including those in rural areas.

I have made clear to members the sometimes devastating impact that rural crime can have on our farming and rural communities. I hope that the information that I have provided today gives members some assurance that the Scottish Government will not be complacent. We will continue to work with Police Scotland and other SPARC partners to develop and implement strategies to combat those perpetrating such crimes.

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

Meeting closed at 17:53.

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