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Scottish Parliament

Thursday 8 January 2026

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

General Question Time

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

St Kilda (Sheep)

1. John Mason (Glasgow Shettleston) (Ind): To ask the Scottish Government what action it will take to prevent starvation and suffering among the sheep on St Kilda. (S6O-05339)

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): The Soay sheep on St Kilda are considered to be an unmanaged population of wild animals due to their unique history of adapting to life without management over many generations. This unique historical flock is protected by the Wild Mammals (Protection) Act 1996, which provides the same protection that is afforded to Scotland's wild deer population.

In the meantime, the National Trust for Scotland is undertaking a full review of the situation, and we are engaging with it on that.

John Mason: In the first place, the sheep are clearly feral. Sheep are not wild animals. Those sheep were put on St Kilda by human beings in the 1930s. They are in a confined space. If the same sheep were in Perthshire or Angus in a confined space, they would not be considered wild. Will the cabinet secretary look at this matter and at considering the sheep to be feral?

Mairi Gougeon: I can only reiterate the position that I set out in my initial response. The Government has a long-standing position on the matter, and we do not intend to change it.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I have to say that I very much support John Mason's case. It seems to be a case of out of sight, out of mind. After all, we put the sheep there in the first place and left them to their fate, and their fate is most unpleasant.

I am pleased to hear that the NTS is reviewing the situation, and I hope that it will take steps to ensure that those sheep are regarded as feral, not wild.

Mairi Gougeon: I appreciate the points that have been made by Christine Grahame and John

Mason. I have set out quite clearly the Government's position on how the Soay sheep on St Kilda are regarded and the protections that are afforded to them under the 1996 act.

As Christine Grahame touched on, and as I said in my initial response, the National Trust for Scotland, as the owner of St Kilda, has responsibility for the sheep that inhabit it. The NTS is undertaking a full review, and we will, of course, engage and work closely with it on that.

Homelessness

2. Emma Roddick (Highlands and Islands) (SNP): To ask the Scottish Government what action it will take in light of the findings of the ending homelessness together 2025 annual report. (S6O-05340)

The Cabinet Secretary for Housing (Màiri McAllan): The annual report shows that more action is needed to end homelessness, but it demonstrates important progress and a significant step up in the past year. By September 2025, 31,064 affordable homes had been completed towards our target. In 2024-25, we invested more than £120 million in homelessness prevention and anti-poverty measures, which helped people to remain in their homes. We introduced new homelessness prevention legislation to ensure that people get the support that they need prior to presenting as homeless and at crisis point. In September, we published a housing emergency plan, which included a commitment to invest up to £4.9 billion in affordable homes in the coming four years.

Emma Roddick: Crisis, the homelessness charity, has noted that the current homelessness system is not sustainable, but there is a desire to do more preventative work across public sector bodies that have responsibilities.

The cabinet secretary previously described the prevention duties contained in the Housing (Scotland) Act 2025 as having the potential to be the "gold standard". What commitment can she provide that the Government will take the learning from the pilots that are taking place in relation to the delivery of new duties in order to implement the legislation as soon as possible and in the best way possible?

Màiri McAllan: I am absolutely committed to ensuring that learning is taken from the pilots. A pilot process, which is being supported by Advice Direct Scotland and which covers health and justice sectors and local authorities, will inform the effective implementation of the duties, which is what Emma Roddick is rightly calling for.

To enable all of this, the pilots will report at quarterly intervals and at the end of this calendar year. We are commissioning independent

research to help to estimate the impact of the duties on public bodies and others and to inform the drafting of the guidance and the secondary legislation, which will be critical. The duties are the gold standard and have the potential to transform our approach to ending homelessness.

Meghan Gallacher (Central Scotland) (Con): I am afraid that the annual report exposes the Scottish National Party's continued failure to get a grip of Scotland's housing emergency. Record numbers of households remain stuck in temporary accommodation, and the number of people who are rough sleeping continues to rise. I hope that the cabinet secretary shares my view that it is disgraceful that, while we are in the chamber today, 10,000 children are growing up without the security of a permanent home. All the while, councils are left struggling as a result of the savage cuts that the SNP Government has made to council budgets.

Prevention is key, but we also know that, in order to end homelessness, we need to ensure that the supply of homes meets the demand. I have asked the cabinet secretary this question before, and I will ask it again: if the Government is hellbent on dismantling the housing sector brick by brick, how does she believe that the Government will reach its target of providing 110,000 affordable homes by 2032?

Màiri McAllan: As is quite often the case, Meghan Gallacher's characterisation of the Government's approach is incorrect, and she has misrepresented how we are viewed by many of the stakeholders with whom I work.

We are taking action on the issue across the board. Temporary accommodation is available as a vital safety net, but let us not forget that most people in temporary accommodation throughout Scotland are in local authority properties while they await a permanent home. I want the time that people spend in temporary accommodation to be shorter, but, nonetheless, that provision provides a vital safety net.

We are taking action, as set out in our housing emergency action plan, not least through the continued delivery of affordable homes. We are also making available £80 million this year for councils to buy homes and make them available for families.

Non-domestic Rates Revaluation

3. Roz McCall (Mid Scotland and Fife) (Con): To ask the Scottish Government what its response is to reported concerns from businesses across Scotland that have recently received letters confirming a revaluation of their non-domestic rate liability. (S6O-05341)

The Minister for Public Finance (Ivan McKee): Draft rateable values for the 2026 revaluation were published on 30 November last year, in advance of the revaluation, which will come into effect on 1 April. Valuations are produced by assessors, who are independent of central Government and local government. Non-domestic rates bills for 2026-27 will, of course, depend on the rateable value of the property, the tax rate that applies and any reliefs that the property is in receipt of. Decisions on non-domestic rates policy for 2026-27 are considered in the context of the budget, in line with other Government priorities, and will be set out on 13 January.

Roz McCall: I note that the minister stated that the assessors are independent, but independence is not an excuse for indifference. Although assessors set the value, the Government can set guidance and policy. The licensed hospitality sector supports 65,000 jobs, pays £1.2 billion in wages and generates more than £2 billion of economic value for Scotland.

Despite the warning by Stephen Montgomery from the Scottish Hospitality Group that current outdated methodology will hit local hospitality businesses, and despite one of that group's members facing a 550 per cent increase in their non-domestic rates, the minister still refuses to use the powers at his disposal.

Will the minister commit today to making the changes that are needed to support our high streets? If not, how many empty shopfronts and lost jobs is he prepared to accept as the price of his inaction?

Ivan McKee: It is not unexpected, but Roz McCall has hugely misrepresented the situation. The Government takes the issue very seriously and engages extensively with the hospitality sector. I met Stephen Montgomery and others in the sector on 22 December, and I met the Federation of Small Businesses on the issue just yesterday. There is also the Government's NDR consultative group, which had its pre-budget meeting in November, and we will meet again immediately after the budget. I have met representatives of other sectors on the issue, too.

I am very well aware of the situation regarding bills that individual businesses have received. There is a process for working through that with assessors, and I urge businesses and sectors to continue—as I know many of them have—to engage with assessors on the process of revaluation. We have set up an independent group under BJ Gill KC to look at the valuation methodology for the hospitality sector, and that group will report later this year.

Of course, the bills that businesses face are a consequence not just of the valuation but of the transitional reliefs and other reliefs—

The Presiding Officer: Thank you, minister.

Ivan McKee: —that are set by the sector, which will be announced in the budget.

The Presiding Officer: Thank you, minister. Let us keep our questions and responses concise.

Willie Rennie (North East Fife) (LD): I will make the situation clear. The rateable value for East Neuk Orchards, which is in my constituency, has gone up from £9,000 to £22,000. The company was below the level of the small business bonus scheme and paid nothing previously. Now, it is paying thousands of pounds, which will be wiping out any profit. Does the minister really understand the impact that his decisions are having?

Ivan McKee: As I indicated, the process of valuation is carried out by the assessors, who operate independently of the Government.

The Government and I are aware of the impact of the valuations that certain businesses have received. That is why we have had extensive engagement with businesses, sectors and the assessors. As I said, the budget will outline the transitional and other reliefs that we will implement with regard to what the final bill for businesses will be. Businesses should also be engaged in a process with the assessors in advance of the final valuation roll taking effect in April.

Mountain Safety

4. Liz Smith (Mid Scotland and Fife) (Con): To ask the Scottish Government what recent engagement it has had with Scottish mountain rescue teams regarding mountain safety this winter. (S6O-05342)

The Minister for Public Health and Women's Health (Jenni Minto): The Scottish Government is committed to supporting safety in the mountains to provide safe opportunities for people to enjoy the outdoors and reap the physical and mental health benefits of being active in nature.

We continue to engage regularly with the chair of Scottish Mountain Rescue and the spokesperson for the two independent teams at Glencoe and Cairngorm about a range of issues affecting mountain rescue teams across Scotland. We are supportive of the ThinkWINTER campaign, which encourages people to plan ahead and think about winter conditions before heading out on the hills and provides an online resource with links to all the information that is needed for exceptional mountain adventures.

Liz Smith: The minister will have seen the warnings from Welsh mountain rescue teams just before Christmas about the worrying increase in irresponsible behaviour in the mountains placing unsustainable pressure on resources. She will also have seen the report from Cairngorm Mountain Rescue Team, which had to rescue two young men who had headed out to Ben Macdui in trainers and joggers at night and in -15°C.

What is the Scottish Government doing to address such irresponsible behaviour, much of which is championed on social media? It is clear that the current strategy is not working.

Jenni Minto: I thank Liz Smith for her important follow-up question. I also thank her and other members for their work on promoting mountain safety and the ThinkWINTER campaign.

I pass on my appreciation to mountain rescue teams across Scotland, which have been playing an important part through established partnership arrangements alongside other community sector organisations and statutory emergency response agencies in assisting communities during the current severe weather.

Ms Smith raises the important point. We need to recognise that conditions at ground level are not what they could be at the summit of—or even on the way up—a mountain. The Scottish Government is supportive of the proposed mountain safety action plan. My colleague the Minister for Drugs and Alcohol Policy and Sport recently met Mountaineering Scotland to discuss overall mountain safety, and those discussions also covered the work that is being undertaken on the creation of the mountain safety action plan.

Ardrossan Harbour

5. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government when it last discussed the purchase of Ardrossan harbour with Caledonian Maritime Assets Ltd. (S6O-05343)

The Cabinet Secretary for Transport (Fiona Hyslop): I met Kevin Hobbs, chief executive officer of CMAL, earlier today and he updated me on Ardrossan negotiations. As the First Minister noted over the festive period, discussions are now at an advanced stage. I inform the Parliament that CMAL and Peel Ports Group have now concluded negotiations on the draft heads of terms and are moving to the detail of the potential purchase agreement.

The Scottish Government is progressing the required review of legal, commercial and subsidy considerations based on the draft heads of terms, which are currently non-binding. The matter remains complex and commercially sensitive and our focus remains on achieving a purchase, a

clean title and a final sale and asset transfer. I will continue to keep the Parliament updated on progress at appropriate stages.

Kenneth Gibson: I thank the cabinet secretary for that response, although I understand that heads of terms were discussed months ago. With the months dragging on with no purchase date in sight, will the cabinet secretary advise Ardrossan and Arran residents whether a deadline has been set for concluding negotiations?

CalMac has had to cancel numerous sailings due to Ardrossan harbour's navigation lights frequently being out of operation in recent months. As that is clearly the responsibility of Peel Ports Group, what steps are being taken to ensure that it fulfils its obligations so that the harbour functions normally?

Fiona Hyslop: Concluding negotiations on heads of terms is a significant point in the sale process, and it has many parts to it. As I have noted, both parties are continuing to work closely to conclude the purchase as soon as is practical. However, to try to unlock investment, we are having to buy back essential infrastructure that was privatised by previous Conservative Governments.

With regard to the port infrastructure at Ardrossan, it is still the responsibility of Peel Ports Group, as the statutory harbour authority, to maintain and upgrade the infrastructure as required in order to ensure that the harbour is fit for purpose. It is important that any live operational issues are addressed by both parties—that is, CalMac and Peel Ports Group—in order to resolve them and ensure minimal impact with regard to disruption to the service and the island communities.

Importantly, CMAL has already given consideration to immediate works that could be undertaken on proposed sale completion to further ensure the resilient and safe operation of the port before the long-term works are procured. That will help ensure the continued and reliable operation of MV Caledonian Isles from Ardrossan in the interim period.

Lost Boys Campaign

6. Pauline McNeill (Glasgow) (Lab): To ask the Scottish Government what its position is on the Centre for Social Justice's lost boys campaign, which aims to raise awareness of the issues that boys and young men are facing, including in Scotland. (S6O-05344)

The Minister for Equalities (Kaukab Stewart): The Centre for Social Justice's lost boys campaign and report highlight the multifaceted and complex societal issues that are facing young men and boys. Although the evidence base that is used in

the report predominantly relies on data sources from elsewhere in the United Kingdom, the issues that are raised in the report are familiar here in Scotland.

No single action or responsibility will magically fix those matters. It is necessary for all of us—parliamentarians, public authorities, families, young men, communities and third sector organisations—to consider those matters and respond to them.

Pauline McNeill: The Centre for Social Justice's "Lost Boys" report says, among many things:

"Since the pandemic alone, the number of" young men

"aged 16 to 24 who are not in education, employment or training ... has increased by ... 40 per cent compared to just seven per cent"

of young women. The report also points out that young men's behaviour is increasingly

"shaped by violent and degrading pornography".

Boys are crying out for role models to avoid such roles being filled by the likes of Andrew Tate, whom we have discussed many times. Given how topical the issue of male role models is across the UK, will the Government adjust the good work that it is already doing to incorporate the need to address what is becoming a crisis among boys and young men?

Kaukab Stewart: Our equally safe delivery plan contains a range of actions to build a robust and joined-up approach to the prevention of violence against women and girls across all education settings in Scotland. The report covers a wide range of issues, but I call Pauline McNeill's attention to the fact that actions in schools to address gender-based violence and sexual harassment include the mentors in violence prevention Scotland programme, the equally safe at school programme and the gender-based violence in schools framework. Those actions complement the key messages for young people on healthy relationships and consent, and the Time for Inclusive Education campaign's digital discourse initiative, which provides training for teachers and educators to address the effects of online hate and disinformation on children and young people.

NHS Scotland (Staffing)

7. Gordon MacDonald (Edinburgh Pentlands) (SNP): To ask the Scottish Government what impact recent recruitment initiatives have had on staffing levels across NHS Scotland. (S6O-05345)

The Cabinet Secretary for Health and Social Care (Neil Gray): Although health boards are

responsible for the recruitment of individual staff, the Scottish Government provides strategic leadership to ensure a sustainable national health service workforce through policy initiatives including investment in international recruitment, the establishment of a national centre for workforce supply, and record investment in pay. Staffing levels are now at their highest-ever level, which is strengthening services and improving patient care.

Gordon MacDonald: Since September 2006, NHS Scotland's staffing levels have expanded by approximately 27 per cent, which represents an additional 35,000 staff in whole-time-equivalent terms. How have the improved staffing levels assisted with tackling waiting lists, and especially the backlog that was caused by Covid?

Neil Gray: Gordon MacDonald is absolutely right. Since 2006, NHS staff numbers have grown by 35,000 whole-time equivalents. This Government has acted to reduce post-Covid waiting lists, investing £135.5 million this year in initiatives such as additional recruitment. As a result, thanks to the efforts of those staff and thanks to the Government's targeted investment, long waits have fallen for six consecutive months, with year-on-year increases in activity. I am very grateful to those staff for their efforts in helping to turn a corner in our NHS.

First Minister's Question Time

12:00

Taxation

1. Russell Findlay (West Scotland) (Con): If a Scottish Government minister misleads the Parliament and, by extension, misleads the public, should they correct the record?

The First Minister (John Swinney): The arrangements for so doing are set out clearly and will be applied where that is necessary.

Russell Findlay: That was as clear as mud.

John Swinney often talks about integrity, yet his party and his Government have none. He denied that his justice secretary had broken the ministerial code until the Scottish Conservatives proved that she had done so—not once but twice.

John Swinney shows exactly the same disregard for integrity and facts when it comes to taxation. Here are the facts: more Scottish workers pay more income tax than those elsewhere in the United Kingdom. John Swinney falsely accuses me of misleading the Parliament when I state that hard fact, and then he does not correct the record. I know that the Scottish National Party's culture of dishonesty will never change, but does John Swinney at least agree that Scots are paying too much tax?

The First Minister: First, the arrangements in relation to the scrutiny of ministerial conduct have been strengthened by the arrangements that I have put in place. The system of independent advisers being able to explore and examine cases at their own volition, without reference from me, has only been provided by the actions that I have taken as First Minister to set the highest tests for accountability and scrutiny that have to be in place at all times. *[Interruption.]*

The Presiding Officer (Alison Johnstone): Let us hear the First Minister.

The First Minister: That is only possible because of the arrangements that I have put in place as First Minister.

On the substantive point that Russell Findlay puts to me, the independent Scottish Fiscal Commission forecasts show that most Scottish taxpayers are expected to pay less income tax this financial year—2025-26—than they would if they lived in the rest of the United Kingdom. I am happy to put that point on the record in the Parliament today.

Russell Findlay: That got one clap. He has strengthened accountability by dishing out a get-

out-of-jail-free card to all his SNP pals—that is one way of doing it.

Taxes are too high in Scotland. Scots are forced, and not asked, to pay £1.7 billion extra a year through SNP income tax rises, yet they see a wasteful Government that is utterly incapable of fixing public services, which only get worse. As demonstrated once again today by the revelation that bed blocking costs the national health service up to £0.5 billion every year, the SNP's list of costly failures is truly endless.

Struggling workers, families and businesses all deserve a break. That is why we are calling on John Swinney to reduce the crippling financial burden by cutting income tax in next week's budget. Will he do so?

The First Minister: In relation to public services, recent data that came out on Tuesday demonstrates that, for the sixth month in a row, long waits in our national health service are falling. In some circumstances, they have fallen by 30 per cent since the start of the financial year, due to the plan and the resources that I have put in place. Long waits are coming down, just as I promised they would do, for patients the length and breadth of our country. The key point that I would make to Russell Findlay is that the investment that we are making in public services is delivering better outcomes for people in our country.

The delayed discharge report from Audit Scotland today demonstrates that it is necessary for us to work collaboratively with local authorities to tackle that issue. The good work on that is highlighted in the Audit Scotland report.

Of course, this Government recognised the need for that intervention in the national care service proposals, but the Conservatives and others would not support those proposals when they came to the Parliament. *[Interruption.]*

The Presiding Officer: Thank you—let us hear one another.

The First Minister: The last thing that I will say to Mr Findlay about his tax cut proposals is that, yes, his proposals involve cutting tax, but they also involve cutting public spending by £1 billion—and he never answers the question about that.

Russell Findlay: When it comes to the state of the NHS in Scotland under the SNP, John Swinney's selective statistics do not cut it. Patients know the reality. They see the reality with their own eyes.

John Swinney thinks that he can take more and more from workers and businesses and, at the same time, spend more and more on benefits. The SNP's annual benefits bill of £7 billion is on course to reach £10 billion a year. State benefits are a vital safety net for those in need, but that bill is

unaffordable, unfair and unsustainable. The only way that John Swinney can pay for it is by hiking taxes even more.

However, there is another way. We believe that workers should keep more of their hard-earned money—*[Interruption.]*

The Presiding Officer: Let us hear Mr Findlay.

Russell Findlay: —and that that will help to increase prosperity by growing the economy.

John Swinney could cut people's taxes by tackling the out-of-control benefits bill in the budget—but does he have the bravery to do so?

The First Minister: Since the start of this financial year, new out-patient waits of more than 52 weeks have fallen by 31 per cent. Since the start—*[Interruption.]*

The Presiding Officer: First Minister, just a moment.

I am conscious of the number of members who have advised me that they would like to put questions today. Their doing so will be made far more likely if we can hear one another.

The First Minister: So that colleagues can hear my remarks: since the start of this financial year, new out-patient waits of more than 52 weeks have fallen by 31 per cent. Since the start of this financial year, in-patient and day-case waits of more than 52 weeks have fallen 28.6 per cent. Every single month, there are falls in the levels of those waiting lists. That is because the plans that I put in place are delivering benefits for real people in our society.

When it comes to social security investment, this Government has invested in measures such as the Scottish child payment, which means that child poverty is falling in Scotland when it is rising in other parts of the United Kingdom. In Scotland, we have child poverty levels that are at 30-year lows, as a consequence of our intervention.

I know that Mr Findlay does not care about child poverty. *[Interruption.]*

The Presiding Officer: Members!

The First Minister: I know that the implications of Mr Findlay's policies are the reduction of support for vulnerable people in our society and, as a consequence, more children would be subjected to poverty by the callous actions of the Conservative Party. Members on these benches will have none of that. We will stand beside the families of Scotland, reducing poverty and making sure that there is opportunity for all in Scotland.

Delayed Discharges (Audit Scotland Report)

2. Anas Sarwar (Glasgow) (Lab): Audit Scotland's report on delayed discharges from hospital is damning and should shame John Swinney and the Scottish National Party Government. It reveals that, in the past year, more than 720,000 bed days were lost to delayed discharge. That is almost three quarters of a million clinically unnecessary days in hospital in a single year for patients who are cleared to leave but many of whom are trapped because they cannot get a care package.

Those 720,000 bed days equate to nearly 2,000 bed days lost every day. That is the real-life consequence of almost 20 years of government by John Swinney and the SNP. Is that not 720,000 more reasons why Scotland needs a new Government and new leadership?

The First Minister (John Swinney): I welcome the report from Audit Scotland, because it highlights the importance of tackling the issue of delayed discharge. That issue has been a priority for this Government and that is recognised in the Audit Scotland report.

In relation to the substance of the delayed discharge issue, Audit Scotland highlights the complexities that are involved, but it also highlights that delayed discharge affects only 3 per cent of patients in our health system, which means that 97 per cent of patients leave hospital without delay.

Complex challenges have to be addressed, which is why I welcome the observation in the Audit Scotland report that

"Scotland's population health framework, the health and social care service renewal framework and the NHS operational improvement plan, offer an opportunity to make progress, with a common focus on prevention."

That means that Audit Scotland recognises the arrangements that this Government has put in place to work with our partners to address the substance of the delayed discharge problem, which will be my priority in taking forward that activity.

Anas Sarwar: That was a pathetic answer from a First Minister who promised to eradicate delayed discharge a decade ago, and it proves that he is out of touch and out of time. He must own the damning consequence of his 20 years in government that 720,000 bed days have been lost in one year.

The SNP's failure to deal with delayed discharge costs taxpayers and our national health service more than £440 million a year. Hundreds of millions of pounds are wasted while waiting lists remain too long and staff feel unsupported. Audit Scotland warns that

"the system cannot function as intended".

There is no grip from the centre, no clear accountability and no effective oversight, all of which has human consequences.

Some patients have been forced to wait for more than six months in hospital after they have been medically cleared to leave. Why is John Swinney so willing to dismiss not just the financial cost of his failure but the human cost of this SNP Government?

The First Minister: An important point at the heart of the Audit Scotland report is about the need for there to be the deepest level of integration between health and social care services in Scotland. The Government tried to do something about that through the work that we did on a national care service, but the Labour Party would not support us, despite having made a policy commitment to support a national care service. *[Interruption.]*

The Presiding Officer: Let us hear one another.

The First Minister: What that means is that the Labour Party says one thing in one context and another thing in a different context.

What is my evidence for that? On Monday, Anas Sarwar claimed that waiting lists in Scotland "continue to rise", but, yesterday, he admitted that waiting lists in Scotland are coming down. That change between Monday and Wednesday shows that Mr Sarwar does not understand whether waiting lists are going up or coming down. What that means is that Mr Sarwar simply makes it up as he goes along, and the people of Scotland are seeing through that.

Anas Sarwar: John Swinney is not living in the real world. He thinks that Scotland's problems have been caused by the Opposition, not by a man who has been in government for 20 years. In just four months, Scotland can get rid of this useless SNP Government.

Scotland's NHS is not safe in John Swinney's hands. *[Interruption.]*

The Presiding Officer: Let us hear Mr Sarwar.

Anas Sarwar: He ignores the evidence, he ignores the experts, he ignores the patients who share their heartbreaking stories and he ignores the doctors and the nurses who are on the front line. Will he ignore the damning words of Alex Neil, who was his colleague for more than 20 years and who is a former SNP health secretary? Alex Neil said:

"A friend of mine waited 3 hours for an ambulance and then 33 hours on a trolley at Ayr Hospital last week before being allocated a bed. The First Minister's claim that the SNHS has turned a corner is rubbish. Scotland's hospitals are in deep crisis and need urgent action NOW".

He is right—John Swinney is talking rubbish, is he not?

The First Minister: I come back to the information that I set out to Mr Findlay a moment ago. The plans to tackle long waits in Scotland that I set out in the first budget under my leadership as First Minister have resulted in a 31 per cent reduction in new out-patient waits and a 28.6 per cent reduction in in-patient and day-case waits. Sustained progress has been made over a six-month period. That says to me that the national health service is making the recovery that it needs to make from the Covid pandemic that affected us all.

Mr Sarwar is very good at dishing out advice. Eighteen months ago, he advised the people of Scotland to elect Labour members of Parliament. Yesterday, he described those Labour MPs as “idiotic”. That tells us all that we need to know. Anas Sarwar is not living in the real world, and telling the people of this country to vote Labour 18 months ago has proved to be a disaster, because he is now describing those Labour MPs as idiots. The people of Scotland are now realising that Anas Sarwar offers nothing in new leadership to Scotland and that the SNP will get on with delivering for the people of Scotland. *[Interruption.]*

The Presiding Officer: Let us hear one another.

The First Minister: That is what we are doing just now.

The Presiding Officer: I appreciate that we do not work in a library, but we have to treat one another with some more courtesy and respect. I want those who are gathered here to hear what is being said by those who have been called to speak.

Delayed Discharge

3. Alex Cole-Hamilton (Edinburgh Western) (LD): The First Minister is playing down the problem of delayed discharge, but he should tell that to everyone who is waiting for an ambulance or in a corridor or who has had their operation cancelled this morning, because our hospitals are full.

In November 2024, 62-year-old Margaret MacGill was rushed to hospital. She had become paralysed from the waist down with cauda equina, which is a rare spinal condition. It is thought that it was caused by lifting her disabled son and the patients in her care as an auxiliary nurse and then as a social care worker. Margaret has been in hospital—first in Raigmore and now in Wick—for more than 400 days. The family home was adapted and ready for her last April. Ramps were installed, doors were widened and a whole extension was built. What is missing are the carers

and the staff that she needs to drop by to help her, so Margaret is still in hospital.

Margaret's husband, Cathal, told me this morning that she is a positive and vibrant woman, but she is struggling. She just wants to get out of hospital. First Minister, what will it take to get Margaret home?

The First Minister (John Swinney): I am sorry to hear the circumstances that Mrs MacGill is experiencing, but some of the steps that Mr Cole-Hamilton has outlined are positive, with the adaptations that have been put in place in the family home to enable Mrs MacGill to go home. Practical steps are being taken in the right direction, but the challenge is the availability of carers.

I acknowledge that that is a difficulty in many areas of Scotland, but it is especially acute in rural areas, where the working-age population is not as large as we would want it to be. That is why Mr Cole-Hamilton and I probably agree that we have to take a constructive approach to migration to boost our rural population.

I know that there is a very active focus on meeting the challenges of social care in the Highlands. I am happy to receive details about Mrs MacGill's case and to identify what further steps can be taken to assist in that respect.

Alex Cole-Hamilton: The adaptations in Margaret's home are of no use to her for every day that she remains stuck in hospital. The brutal irony of the story is that Margaret was a care worker and, throughout her career, she offered support that is now unavailable to her. She should have been home within 14 weeks, but she has been in hospital for 14 months. That is happening the length and breadth of the country. Scotland deserves better than this. That is why my party has made care a priority in our discussions about the Scottish budget.

It has now been 10 years since Shona Robison, the then health secretary, promised to get rid of delayed discharge altogether, but 2,000 people are marooned in hospital every day. It is a care bottleneck that means cancelled surgeries, endless waits in accident and emergency and ambulances stacking up outside hospitals.

This morning, we learned that that costs the NHS at least £1.2 million a day, but the cost to Margaret and people such as her is incalculable. When will the penny finally drop for the SNP that it cannot fix the crisis in our NHS until it has fixed care?

The First Minister: That has been reflected in the budget decisions that we have taken to expand support for social care in the budget for the current financial year that Mr Cole-Hamilton

supported after negotiation. I welcomed that negotiation because the Government does not have a majority and we must work with others to agree the financial provisions. That dialogue is essential to ensure that social care can be adequately funded.

The Audit Scotland report highlights some of the complexity of cases such as the one that Mr Cole-Hamilton put to me. It also highlights the challenges of recruitment, particularly in remote and rural areas, which I am not at all disputing. That is why I have taken steps to make it more practical and possible for people to come to this country to work in our care service. Those people have been abandoned by the changes to care arrangements in the immigration rules that the United Kingdom Government has made, whereas I have taken steps to ensure that more of those individuals can work in our care service. I give Mr Cole-Hamilton the assurance that, where there are practical and pragmatic steps that we can take to do that, we will do exactly that.

Fuel Poverty

4. Karen Adam (Banffshire and Buchan Coast) (SNP): To ask the First Minister what action the Scottish Government is taking to support those affected by fuel poverty, in light of the recent rise in energy prices and their potential impact on the cost of living for households in Scotland. (S6F-04571)

The First Minister (John Swinney): The Scottish Government delivers the strongest package of winter heating support available anywhere in the United Kingdom. We continue to use the powers available to us to raise incomes and improve energy efficiency, including increasing funding for warmer homes Scotland, investing more than £196 million in winter heating benefits and providing a further £1 million this year to expand energy bill debt advice services.

However, the main levers for addressing fuel poverty, such as energy pricing and market reform, are reserved. We have repeatedly called on the UK Government to introduce targeted bill discounts to reduce the number of households in fuel poverty by around 135,000.

Karen Adam: I commend the measures that the First Minister outlined and am proud that, at a time when people are struggling, this Scottish National Party Government is providing a stronger package of winter support than is available anywhere else in the UK. The Labour Party promised to cut energy bills by £300, but households are almost £200 worse off. Any Scottish politician worth their salt should be demanding better for Scotland. While the UK Government continues to deliver nothing but broken promises, does the First Minister agree that it is only through independence

that we can prioritise Scotland's interests and actually reduce energy bills?

The First Minister: Karen Adam makes the strong point that although the people of Scotland were promised a reduction in their fuel bills by the Labour Government, their fuel bills have gone up. That is another broken promise from the Labour Government.

Ms Adam is also right that, in Scotland, an energy-rich country, her constituents and others are facing fuel poverty because the energy wealth of Scotland is not being deployed to benefit the people of Scotland. The only way that that can happen is with independence, and this party is going to deliver that.

The Presiding Officer: I call Audrey Nicoll for a brief supplementary question.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): This week's severe weather has seen the UK's power demand reach a seven-year high as households struggle to keep warm through the winter storms. In energy-rich Scotland, that power demand sits alongside skyrocketing energy bills as families pay through the nose to heat their homes. Does the First Minister agree that the sooner Scotland's energy is in the hands of Scotland's people, the better that will be for lower bills, economic growth and meaningful community ownership? *[Interruption.]*

The Presiding Officer: I hope that the First Minister heard that question. I ask those who are shouting from their seats to cease.

The First Minister: Audrey Nicoll makes the very important point that we live in an energy-rich country but that we also live in a country with a high level of fuel poverty, as a result of the decisions of the United Kingdom energy market. Audrey Nicoll is absolutely right: the sooner those issues are in the hands of the people of Scotland so that we can make the energy wealth of Scotland work for the benefit of the people of Scotland, the better.

Domestic Abuse Crimes

5. Pam Gosal (West Scotland) (Con): To ask the First Minister what the Scottish Government's response is to Police Scotland figures showing a 10 per cent increase in reported domestic abuse crimes over the past 12 months. (S6F-04560)

The First Minister (John Swinney): Domestic abuse is abhorrent and we must end it. Multiple factors lie behind the statistic, including a greater willingness of victims to report crimes, the justice system taking them seriously and the pursuit of action against the perpetrators—in most cases, men. Our equally safe strategy sets out preventative actions to prevent such violence from

occurring in the first place. Our annual funding of £21.6 million supports projects such as equally safe at school and mentors in violence prevention, as well as building the capability and capacity of services to do their vital work to support survivors.

Pam Gosal: I thank the First Minister for that response, but let us be clear here. Last year, 66,000 domestic abuse incidents were recorded in Scotland—that is one every eight minutes. This is not a one-off spike. Incidents rose last year and again this year, and this is just the tip of the iceberg, with many cases—sadly—going unreported. Behind every figure is a real-life example of a person—primarily a woman—whose life has been shattered. Survivors are sick of the same old excuses and they need real action now. Will the First Minister back my Prevention of Domestic Abuse (Scotland) Bill, which would give the authorities powers to intervene early and to prevent abuse from happening in the first place?

The First Minister: I believe that this Government has taken very significant action to ensure that the perpetrators of domestic violence are brought to justice. The increase in the number of crimes that are being reported and the number of prosecutions that are being successfully achieved is testament to the fact that the prevention of domestic abuse and the pursuit of those who perpetrate that heinous crime are taken deadly seriously within the Government, and the data demonstrates how that is being taken forward. I am at one with Pam Gosal in the determination to make sure that we tackle domestic violence.

I say all of that because of what I am about to say. The Government has carefully considered the bill that Pam Gosal has introduced. We have concerns about how the proposals in the bill would work in practice and we do not believe that they are able to be supported because of their nature and the fact that they would not provide any additional emphasis or effectiveness in the domestic abuse arrangements.

We have arrangements in place that allow multi-agency public protection arrangements and the disclosure scheme for domestic abuse in Scotland, which gives people the right to ask about the background of their partner and gives Police Scotland the power to tell people that they may be at risk, even where that information has not been asked for. Those are the very strong arrangements that we already have in place, and—regrettably—we do not believe that Pam Gosal's bill would add to the effectiveness of those provisions. However, I reiterate our absolute determination to do all that we can to tackle domestic abuse as a heinous crime in our society.

Bus Fare Cap

6. Ariane Burgess (Highlands and Islands) (Green): To ask the First Minister whether he will provide an update on the roll-out of the £2 bus fare cap pilot agreed as part of the 2025-26 budget negotiations. (S6F-04564)

The First Minister (John Swinney): Following an expression of interest process with our regional transport partnerships, I am pleased to confirm that we will work jointly with the Highlands and Islands Transport Partnership and the Shetland Transport Partnership—ZetTrans—to deliver the bus fare cap pilot. The initiative aims to make bus travel more affordable, improve access for low-income communities and support sustainable travel for people in Highland, Moray, Argyll and Bute, the Western Isles, Orkney and Shetland. We look forward to progressing the phased launch of the pilot later this month, subject to finalising its design and operation.

Ariane Burgess: I am delighted that my Highlands and Islands region will be the first to benefit from the new approach to affordable buses that was proposed and delivered by the Scottish Greens. Will the First Minister outline how the scheme will be promoted and supported to maximise uptake in those areas and how it will contribute to reducing car dependency and cutting transport emissions as part of Scotland's climate commitments?

The First Minister: The bus fare cap pilot is one of a range of measures that the Government is taking to address poverty and support households, and to enable individuals to have a credible and affordable choice of utilising public transport. The pilot represents a significant milestone. It enables us to work with our partners to promote the approach as a means of making bus travel more affordable, improving access for low-income communities and supporting sustainable travel for people across the HITRANS and ZetTrans areas.

We will learn important lessons from the application of the pilot, which is the product of good, constructive, cross-party working between the Government and the Scottish Green Party in relation to the budget, and I am delighted to commend it today.

Queen Elizabeth University Hospital

7. Jackie Baillie (Dumbarton) (Lab): To ask the First Minister what action the Scottish Government is taking following reports that the Queen Elizabeth university hospital released the wrong body for cremation. (S6F-04559)

The First Minister (John Swinney): I am deeply concerned by this situation, and I extend my sympathies to the families that are affected.

The arrangements and requirements for caring for the deceased require dignity and respect, and that the correct procedures are followed at all times. NHS Greater Glasgow and Clyde and the inspector of burial, cremation and funeral directors are investigating the circumstances of the case. I expect to see the outcome of that investigation shortly.

Jackie Baillie: The First Minister was told of the tragic circumstances at the Queen Elizabeth university hospital, where the wrong remains were sent for cremation, and of the devastation that that has caused for two families. However, it is not the first incident of that nature at the hospital, and it was unfortunately not the last, with the body of a 96-year-old grandmother also sent to the wrong funeral directors. Will the First Minister publish the investigation report by the inspector of burial, cremation and funeral directors? Can he advise whether the inspector's powers extend to hospital morgues, and, if not, whether he agrees that the incident should be reported to the police?

The Burial and Cremation (Scotland) Act was passed in 2016, so why has the First Minister's Government been so slow to deliver change—taking nine years to create regulations? Does the First Minister consider that that delay has let down people who are caught up in the funeral parlour ashes scandal, which I brought to light in 2024, and that now it is letting down those who do not have their loved ones' remains because of shocking national health service blunders?

The First Minister: The implementation of the Burial and Cremation (Scotland) Act 2016 is being taken forward, and most of the provisions are in place. Indeed, there is also further recruitment of individuals as part of the implementation process.

I will explore the questions about publication of the inspector's reports in relation to this particular case. It will be good if that is possible, but I have to confirm whether there are details that would be difficult to put into the public domain. However, it is important to do so to address the issues of public confidence that Jackie Baillie put to me, the importance of which I recognise. I will therefore explore that and write to Jackie Baillie on it. It is important that there is public confidence about such arrangements. The principles of dignity and respect must be applied.

I once again express my sympathy to the families that have been affected by that terrible experience.

Sandesh Gulhane (Glasgow) (Con): I declare an interest as a practising NHS general practitioner.

A few weeks ago, the Queen Elizabeth university hospital in Glasgow released the wrong

body, which was cremated, denying two families a goodbye, but this is not an isolated incident.

The body of 56-year-old William Paterson was released to the wrong funeral director. A mum was left in a mortuary for six weeks, with staff telling the family that she had been forgotten. Ninety-six-year-old Agnes Lane's remains were released to the wrong funeral firm. At a time when families should be grieving, mistakes such as those are unacceptable. They cause significant distress.

With that catalogue of significant never events, what steps are being taken to hold senior management to account? They always seem to escape scot free.

The First Minister: The Government has in place a range of measures to tackle those issues. Guidance is in place that requires robust checking before any body is released from a hospital mortuary to an undertaker.

We also have the inspector of burial, cremation and funeral directors, who is appointed by Scottish ministers, and along with that we have a statutory funeral director code of practice that regulates many of those issues.

I assure Dr Gulhane that arrangements are in place to ensure that the highest standards are applied and that accuracy is implicit in all of the actions that are taken forward. I give Parliament the commitment that where we can publish information on that, we will.

The Presiding Officer: We move to constituency and general supplementary questions. Concise questions and responses will enable more opportunities.

Supreme Court Ruling

Michelle Thomson (Falkirk East) (SNP): Late yesterday, the Scottish edition of The Times reported that the Scottish Government has written to the United Kingdom Government's Advocate General for Scotland to inform her that, should its other legal arguments against the ruling of the Supreme Court in favour of For Women Scotland fail, it wishes a further remedy to be explored in the form of a declaration of incompatibility on human rights grounds. At the same time, the First Minister and others in Cabinet have made multiple statements in this chamber that they fully accept the Supreme Court ruling and are working to implement it.

I am confused. I am not asking for comment on any legal action, but I am asking how the statements made in the chamber are compatible with the actions taken in secret by the Scottish Government.

The First Minister (John Swinney): In this respect, live legal proceedings are under way, and

elements of my comments will be restricted because of that fact.

What the Government is doing is exactly what we told Parliament we were doing, which is taking forward the steps to ensure that we have the correct guidance arrangements in place to deal with the implications of the Supreme Court ruling. That is the work that the Government is undertaking—and is always undertaking—in this respect.

Crosshouse Hospital (Accident and Emergency)

Carol Mochan (South Scotland) (Lab): Earlier this week, reports revealed that the A and E department at Crosshouse hospital in NHS Ayrshire and Arran exceeded capacity by 50 per cent this December. Staff had no choice but to care for and treat patients in corridors. To be clear, this is not just a winter issue—Crosshouse A and E exceeded capacity during seven months of last year. What progress has been made in capturing data on corridor care at both a national and local level, so that we might finally understand the true scale of that risk to staff and patients?

The First Minister (John Swinney): In collaboration with health boards around the country, we are undertaking work to ensure that we have in place sustainable arrangements in accident and emergency. That is also part of a whole-system approach, which involves the role of the Scottish Ambulance Service and NHS 24. When ambulances are called to homes, businesses or other locations, if patients can be sustainably supported in another situation, an increasing proportion of them are being supported there by the Scottish Ambulance Service, in order to avoid individuals being transported to hospitals. Obviously, a range of other sources of advice are available to ensure that individuals' health needs are met.

During the Christmas break, I visited the accident and emergency department at Glasgow royal infirmary. Yes, it was operating under pressure, but it was operating in a sustainable fashion on the occasion that I was there. In other circumstances around the country, there has been stress and challenge in the A and E system and in other areas where there has been sustainable handling of the cases with which we are wrestling.

I assure Carol Mochan that we are working to ensure that there is a sustainable availability of services across the country. That work will be focused on Crosshouse hospital as much as anywhere else in the country.

STV Journalists (Strike)

Douglas Lumsden (North East Scotland)

(Con): Yesterday, journalists at STV took strike action, protesting against job cuts that would lead to the end of a separate news bulletin coming from the north of Scotland. I commend and support them for taking a stand and defending local journalism. Is there any pressure that the Government can put on STV and Ofcom to help to maintain a dedicated news service for the north-east of Scotland?

The First Minister (John Swinney): I agree entirely with Mr Lumsden about the importance of the distinctive and substantive news output from STV North. Some amended proposals have been brought forward, but I stress the word "substantive". The alternative proposals that have emerged will lead to the erosion of substantive news output from STV North.

Yesterday, the Cabinet Secretary for Constitution, External Affairs and Culture provided an update to Richard Leonard on his meetings with the National Union of Journalists, STV and Ofcom. The Government has made representations to Ofcom and we have been in dialogue with STV. I reaffirm the position, which we have taken all along, that a distinctive and substantive news output from STV North is what is required and what the journalists of that organisation deserve, because they do an outstanding job of reflecting those issues.

The weather circumstances of the past few days have made that point powerfully. The circumstances in the north of Scotland have been more acutely challenging than those in the rest of the country, and that has been reflected in the distinctive and substantive news coverage from STV North. The events of recent days make Mr Lumsden's point.

STV Journalists (Strike)

Jackie Dunbar (Aberdeen Donside) (SNP): As we have just heard, this week, STV journalists and production workers have been on strike in response to the proposed cuts to STV North in Aberdeen. I know that the First Minister is aware of the vital role that local news plays in keeping communities informed. Does he agree that we must protect local journalism and demand that STV thinks again, negotiates with its workforce and resolves the dispute to benefit the workers and the communities that they serve in the north-east of Scotland?

The First Minister (John Swinney): In the light of these exchanges, I will make sure that renewed representations are made by the Government to STV and Ofcom. For all the reasons that I have put on the record today to Douglas Lumsden,

which I reiterate to my colleague Jackie Dunbar, it is important that we protect substantive and distinctive news coverage from STV North. That is an important commitment to public service broadcasting in Scotland.

Extreme Weather

Liam Kerr (North East Scotland) (Con): On Tuesday, I asked the First Minister what help could be given to the north and north-east during this period of extreme weather, in the face of severe council budget challenges. Since then, the situation has worsened, with further falls overnight and ice everywhere.

Tim Eagle MSP has suggested that the Government co-ordinates resource sharing between councils and Andrew Bowie MP has suggested calling out the military. Is the First Minister sympathetic to those solutions? In any event, what further support can the Government offer to help the people of the north and north-east during this extreme weather?

The First Minister (John Swinney): As I acknowledged on Tuesday, I recognise the severity of the issues that are being wrestled with principally in the north-east but also in the Highlands, the northern isles and the Western Isles. We have had at some times an amber warning in place on Friday, Saturday, Sunday, Monday and Tuesday in those areas, so the situation has been very acute.

The dialogue that has taken place with local resilience partnerships has resulted in the making available of snow-clearing equipment by Amey, the trunk roads network company, to Aberdeenshire Council. A mutual aid arrangement has been put in place, and other local authorities have been part of putting in place mutual aid, because of the severity of the conditions in the north-east.

No agency has requested additional support from either the Scottish Government or the Ministry of Defence beyond those arrangements, but we are in constant contact with the resilience partnerships in the north-east. We had an extensive follow-up discussion on Tuesday evening, specifically with Aberdeenshire Council, on behalf of the resilience partnership, and we have been working closely with local authorities and health boards. I assure Mr Kerr that we are in active dialogue to identify whether any additional practical assistance can be offered.

We are now in a period in which there is a relaxation of the intensity of the weather, so the ability to apply measures to recover the situation is a greater opportunity in the absence of amber warnings, and that will be the priority for the next few days.

Wick John O'Groats Airport (US Military Operations)

Mercedes Villalba (North East Scotland) (Lab): The First Minister has said that he cannot see how international law has been respected by the United States in its military intervention in Venezuela, and has said that the

"international community must now ensure that de-escalation, diplomacy and democracy"

follow. Although defence is a matter that is reserved to the United Kingdom Government, Wick John O'Groats airport is owned by the Scottish Government, so reports that it is being used to support US military operations in relation to Venezuela are alarming. Was the First Minister made aware of the intention to use the airport to support yesterday's action? Given his expressed views, what assurance can he give to my constituents in the north-east that their Scottish Government-owned infrastructure is not being used as a staging post to violate international law?

The First Minister (John Swinney): I think that we have to be really careful about the different issues that are at stake. I reaffirm the comments that I made at the start of the week about the situation in Venezuela, which are a matter of public record. I believe in the international rules-based system. Having listened carefully to what has been said by the United States Administration, I cannot see how international law has been respected in that case.

That is one circumstance. There is another circumstance, which is the incident involving the tanker. I and the Government have no knowledge as to whether aircraft that landed at Wick airport on the morning of 7 January—yesterday—were involved in that initiative. We have no knowledge as to whether that is the case. I can tell the Parliament for transparency that Wick airport is regularly used by aircraft to refuel to enable them to make journeys across the Atlantic and into the Arctic areas. That has been a long-standing activity. Highlands and Islands Airports Ltd does not scrutinise the basis on which any requests for landing are made in those circumstances. I stress that the Government and Highlands and Islands Airports do not have any knowledge of whether the aircraft that landed yesterday were used in the US-UK operation against the Russian tanker.

I conclude by saying two things. First, the matter is reserved to the United Kingdom Government and, secondly, where sanctions are applied and if they are applied to Russia, I am a firm supporter of those sanctions being enforced. There is no point in applying sanctions to Governments that ignore international law, undermine the rule of law and invade independent countries in the way that Russia has invaded Ukraine, without taking action

when those sanctions are applied. I am happy to set out the Scottish Government's position on that point of principle.

The Presiding Officer: That concludes First Minister's question time. The next item of business is a members' business debate in the name of Claire Baker. There will be a short suspension to allow people to leave the chamber and the public gallery.

12:47

Meeting suspended.

12:48

On resuming—

Non-fatal Strangulation Laws and Intimate Partner Homicides

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a members' business debate on motion S6M-19504, in the name of Claire Baker, on non-fatal strangulation laws and intimate partner homicides. The debate will be concluded without any question being put. I invite members who wish to speak in the debate to press their request-to-speak buttons.

Motion debated,

That the Parliament notes the calls for legislation to create a standalone offence of non-fatal strangulation (NFS), in light of new research led by Professors Sonia Orefice and Climent Quintana-Domeque at the University of Exeter on intimate partner homicides and NFS; understands that this is the first known study to examine the impact of standalone NFS laws on intimate partner homicides across multiple jurisdictions internationally; notes that the study finds that, in US jurisdictions where NFS has been criminalised as a standalone serious offence, intimate partner homicides fell by double-digit percentages, with female-victim homicides declining by around 14% and male-victim homicides by 27%, and estimates that more than 1,500 lives have been saved since the adoption of such laws; expresses concern regarding the view that these reductions could highlight a significant gap in Scots law; understands that criminalising NFS could be considered as a potential approach to reduce the deadliest consequences of intimate partner violence; further understands that NFS often leaves no visible injuries, yet is a strong predictor of future lethal violence, and that, in the absence of a standalone offence, NFS may go unrecorded or be prosecuted only as minor assault due to the absence of visible injuries or a weapon; notes with alarm the scale and salience of violence against women and girls in Scotland, including in the Mid Scotland and Fife region; considers that standalone NFS laws could disrupt any escalation of violence and coercive control and help prevent lethal outcomes and wider harms, and commends the research team for its ongoing work in this area.

12:49

Claire Baker (Mid Scotland and Fife) (Lab): I thank the members who signed my motion so that it could be debated in the chamber. I particularly thank Tess White and Michelle Thomson, whom I have worked with to raise the profile of non-fatal strangulation. As both members have indicated that they will not seek re-election, I recognise their commitment to fighting violence against women and girls in Scotland. I look forward to hearing their contributions as well as those of others from across the chamber.

At the outset, I commend the researchers whose work has prompted the debate. Led by Professors Sonia Orefice and Climent Quintana-Domeque of the University of Exeter, the research on intimate partner homicide and non-fatal

strangulation is not only academically rigorous but profoundly human in its implications. Their work has brought new evidence into focus and it gives renewed urgency to the discussion.

Non-fatal strangulation is not a new concern. It is an issue that I and others have been raising in the Parliament for a number of years with successive justice secretaries and First Ministers, as well as in debates and through questions. The normalisation of non-fatal strangulation, driven by pornography, should be challenged. I welcome the intention of the Online Safety Act 2023 to outlaw choking in online pornography, making it a priority offence.

The Institute for Addressing Strangulation has carried out two surveys. In less than a year, there was an increase, from 35 to 51 per cent, in the number of people aged 16 to 34 who reported being choked during sex. While 70 per cent of people said that consent was established before choking and 38 per cent reported that they enjoyed it, 27 per cent said that there was no consent and 36 per cent felt scared by the action.

Although the focus of today's debate is the research that seeks to strengthen the legal framework, we must recognise that IFAS research shows that 29 per cent think that there are safe ways to strangle, 38 per cent enjoy it and 18 per cent think that it is a normal part of sex. We can legislate more, but that will not necessarily stop non-fatal strangulation in intimate relationships.

Non-fatal strangulation is not risk free. It can cause serious internal injury, brain damage or loss of consciousness within seconds. It can cause incontinence, coughing, neck pain and confusion, and can lead to anxiety and depression. However, it might not leave visible marks, and the absence of visible injury can affect how incidents are recorded, investigated or prosecuted. It can be used as a tool of control and coercion. Survivors describe how terrifying the experience can be, not only because of the physical danger but because of what it represents—an assertion of total control over breath, consciousness and life.

As a Parliament and as a society, are we prepared to challenge the normalisation of strangulation within sexual relationships? What are we going to do about it?

In 2019, research for BBC Radio 5 Live found that a third of women under 40 had experienced unwanted slapping, choking, gagging or spitting during consensual sex. The Centre for Women's Justice said that the findings showed the

"growing pressure on young women to consent to violent, dangerous and demeaning acts".

I have pressed the Scottish Government to undertake research into the normalisation of

violence and sexual activity, including choking, reflecting the evidence and unease that acts that carry a high risk of serious harm are being continually framed as routine or expected.

In Scotland, there should be a multidisciplinary approach that encompasses public health, education and justice. It would appear that that is not the case and that there is very little recognition of the prevalence of the practice and its consequences. Non-fatal strangulation in intimate partner relationships is too often minimised, misunderstood or treated as a lesser form of assault, but the evidence that is being presented today often recognises it as a strong predictor of future lethal violence.

Consent does not exist in a vacuum, and where there is fear, coercion, power imbalance and risk of serious harm, the concept of consent becomes problematic. The survey shows that 46 per cent of respondents consent to being strangled or strangling others because their partner enjoys it, not necessarily because they enjoy it. Treating strangulation as normal, mutual or harmless risks obscuring abuse and silencing victims.

The research that is highlighted in today's motion reinforces why that matters. It is the first known international study to examine the impact of stand-alone non-fatal strangulation laws on intimate partner homicide rates across multiple jurisdictions, and its findings are striking. In US states where non-fatal strangulation has been criminalised as a distinct serious offence, intimate partner homicides fell by double-digit percentages. Female victim homicides declined by around 14 per cent, and male victim homicides fell by 27 per cent.

The researchers estimate that more than 1,500 lives have been saved as a result of those laws. Those represent people—overwhelmingly, though not exclusively, women—who are alive today because earlier intimate-relationship violence was recognised, taken seriously and interrupted before it escalated into something fatal. They suggest that when the law clearly recognises non-fatal strangulation as serious, dangerous and criminal in its own right, it can disrupt patterns of escalation and coercive control.

Scotland has made important progress in recognising domestic abuse as a pattern of behaviour and not a series of isolated incidents. However, the evidence raises a legitimate and pressing question: does our current law sufficiently recognise non-fatal strangulation within that framework, or is there a gap that leaves victims at risk? We should examine whether existing offences adequately capture the harm, risk and intent that are associated with non-fatal strangulation.

In a previous meeting that Tess White and I sponsored, the Crown Office and Procurator Fiscal Service set out the argument that one cannot consent to harm in Scotland, so the offence already exists. I accepted that, and I would be reluctant to legislate unnecessarily. However, the research from the University of Exeter adds weight to the calls for a stand-alone offence. If criminalising non-fatal strangulation as a stand-alone offence could help to prevent escalation, improve recording and prosecution and, ultimately, save lives, I believe that Parliament has a responsibility to consider it. We should engage seriously with the evidence that is before us and ask whether our existing offences capture the reality of harm, risk and intent associated with strangulation, particularly when there are no visible injuries and no weapon.

I want to acknowledge the survivors and advocacy organisations that have long highlighted non-fatal strangulation as a critical issue. They are often sharing their lived experience at a time when it is unfashionable to challenge the culture and when there is a minimisation of the experience that being strangled can be terrifying and life-threatening and is never minor.

This debate reflects a conversation that has been building in Parliament for a few years. I hope that it marks the point at which we move from recognising the problem to actively exploring solutions, which should be grounded in evidence, informed by survivors and driven by the shared aim of preventing a further loss of life.

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

12:56

Michelle Thomson (Falkirk East) (SNP): I, too, thank Claire Baker for her work in this matter and for obtaining the debate, and I accord my own respects to the power of collaborative cross-party working.

I want to speak a little more about the research paper “Disrupting Violence, Protecting Lives: Strangulation Laws and Intimate Partner Homicides”, which is very compelling and shows beyond reasonable doubt that treating non-fatal strangulation as a stand-alone criminal offence saves lives. The paper analyses nearly 30 years of data linking non-fatal strangulation laws across the United States with detailed homicide statistics. The researchers show that, where non-fatal strangulation laws were introduced, intimate partner homicides fell dramatically.

Among adults aged 18 to 49—the age group that is most affected—US states saw a 14 per cent reduction in female intimate partner homicide and a 27 per cent reduction in male intimate partner

homicide, compared with what would have otherwise occurred. Those are not modelling assumptions or advocacy claims; they are causal effects derived from a rigorous two-stage difference-in-differences methodology. The study goes further. It finds no similar reductions in killings by strangers, which tells us that the laws did not simply coincide with wider crime declines. Instead, the drop is specific, targeted and clearly linked to non-fatal strangulation legislation.

Why do we care? We care because non-fatal strangulation is one of the strongest predictors of later homicide. We know that it often leaves little visible injury and, historically, it has been treated as a simple assault. The research explains that that legal vacuum has had fatal consequences. Victims would be nearly killed, yet the police could often charge only a minor offence. That had the effect of weakening justice responses, sending the wrong message to perpetrators and leaving the victims exposed.

Where laws have been introduced, things have changed, as the study shows. Police classify more intimate partner violence cases as aggravated assault and arrest rates for aggravated IPV have increased, especially in cases involving women who are most exposed. In other words, the law empowers earlier, stronger intervention, thus breaking the pathway from non-fatal strangulation to homicide.

The evidence is clear that a stand-alone non-fatal strangulation offence saves lives. In Scotland, we do not yet have such an offence. I know that the Scottish Government has stated that it does not believe that a stand-alone offence is necessary at this time, and it has made various arguments about existing laws on assault, attempted murder and so on. I also know that ministers have said that they will keep the matter under review. However, the current legal framework is insufficient.

Although we might introduce additional legislative complexity with a stand-alone offence, we would also improve outcomes. Fundamentally, the evidence that is before us shows that general assault laws do not deliver the same prevention effect. The specificity of the offence—the formal legal recognition of strangulation as a distinct high-risk act—enables justice systems elsewhere to intervene earlier and more effectively.

The Government states that it is committed to reducing violence against women and girls but, on this matter, the evidence goes beyond principle: it is empirical. The question for us now is simple: if we know that, as proven by the research that I mentioned, action can prevent homicides, why would we wait? It is time for us to act.

13:00

Tess White (North East Scotland) (Con): I want to say a special thank you to Claire Baker for raising this topic and to Michelle Thomson for working on it over the past few years.

Emily Drouet was in her first year of university when she met a boy who went on to become her boyfriend, to strangle her and to engage in such demoralisation of her as a person that, in 2016, she committed suicide. Scotland is the only part of the United Kingdom that does not have non-fatal strangulation as a stand-alone crime. I pay tribute to Fiona Drouet for her dedication and persistence in progressing her petition on non-fatal strangulation and to Beira's Place for its insightful cross-party event with leading experts.

Strangulation for sexual purposes is now part of our culture. It is especially common in the young. Research has shown that 43 per cent of sexually active 16 and 17-year-olds and 35 per cent of 16 to 34-year-olds have experienced it. What was niche has now become part of the mainstream via increasingly extreme pornography. The issue has crept up on society unnoticed with unthinkable consequences.

As we have heard, strangulation is a strong predictor of escalating domestic abuse and intimate harm. One woman in four accessing community and refuge services in this country reported that they had experienced strangulation or suffocation. However, strangulation often leaves no visible physical injury, which makes it difficult to assess and to prosecute under existing common-law assault offences.

The First Minister has said that he needs the gap in the law to be proven for non-fatal strangulation to be made a stand-alone crime, but is the data on NFS collected in Scotland? Markers are added to crimes if NFS has taken place but, as it is not always reported, there will always be underreporting. Many women are reluctant to come forward. A stand-alone crime would enable awareness and data collection to encourage women to report it to the police.

However, data is collected in many countries, and a research report from the University of Exeter published in December 2025 found that an NFS law might have prevented 1,029 female intimate partner homicides. Crucially, such a law stops perpetrators before violence turns deadly. As we have heard, the researchers, Professor Sonia Oreffice and Professor Climent Quintana-Domeque, say:

"Laws that explicitly define and criminalise non-fatal strangulation are a scalable and actionable policy tool for preventing lethal acts of domestic violence. Our findings show how laws can be designed to shift enforcement earlier in the violence cycle and meaningfully enhance victim safety."

Fiona Drouet, in reply to the Lord Advocate's rejection of a stand-alone NFS crime said:

"A specific law would reinforce to health professionals, educators, and frontline responders that this behaviour is a red flag for escalating harm, including homicide and suicide. It would also support victims in recognising the seriousness of their experiences and empower them to seek help."

Emily Drouet was caught in the gap where the law should have been. In her name and that of so many others, it is time that we make non-fatal strangulation a stand-alone crime in Scotland.

13:05

Carol Mochan (South Scotland) (Lab): I thank Claire Baker for bringing this important debate to the chamber, and I thank all those who have contributed so far. I associate myself with the remarks that everybody has made about the importance of cross-party working, particularly in this area, and of the quality of the research in this area. That research might be limited, but its quality is so important.

Today's motion asks the Parliament to recognise and consider the benefits of creating a stand-alone offence for non-fatal strangulation, which, in my view, could see significant improvements to public awareness, data collection, and victim safety and support.

Non-fatal strangulation is a severe form of domestic abuse that is predominantly carried out by men against women. As we have heard, it can have serious and long-term side effects, including brain damage, organ failure and mental health issues. It has potentially life-threatening consequences and can cause extreme trauma for victims.

In her speech, Tess White showed the shocking reality and why we have to highlight it. As the motion highlights, non-fatal strangulation often leaves no visible injuries, but it is a strong predictor of future lethal violence and is becoming increasingly more common, particularly, as we have heard from other contributors, among younger people, who might not fully understand the consequences.

Although non-fatal strangulation is prosecuted as a criminal offence in Scotland under the common law of assault, as we have heard, that common-law route does not always work and can fall short of fully capturing the offence. I believe that exploring how and where improvements can be made might significantly improve outcomes for victims. If we cannot fully capture the offence, we cannot get improvements.

I want to recognise the bold and world-leading action that the Parliament is taking to tackle violence against women and girls. That has been

done, because we work on a cross-party basis and listen to each other. I think that that should be put on the record.

As non-fatal strangulation is currently recorded under a range of offences, there is an issue with the recording of—and, indeed, the lack of—data. That is an important element; I do not need to explain just how important data is. It is important not only because it allows us to understand the scale of the problem and to increase awareness, as I have said. Capturing and recording that data is important in a medical sense; it is important for research, which will allow us to change the impacts; and it is important at an individual level, too, at the point at which a victim presents at a hospital. Therefore, it is very important that we get the data right, because doing so will help us increase public awareness of the dangers.

A strong case can be made that a stand-alone law would improve education and awareness of the effects of strangulation and could help improve the long-term safety and wellbeing of the victims. Underreporting is such an issue, and a stand-alone law might help if people really understood what we were trying to record.

I recognise the arguments that Claire Baker highlighted—I, too, was at that round table—from people who have cautioned against introducing a stand-alone offence, given the potential unintended consequences. We could look for a quicker alternative approach, but it might not be as effective and might fall short in addressing the core problems.

Tackling violence against women and girls must and should always be a priority for the Parliament. In my view, it is absolutely worth exploring the creation of a stand-alone offence, as it could send a message. It is important for Scotland that we see this as our absolute priority.

I thank Claire Baker and other members for their contributions.

13:09

Liam Kerr (North East Scotland) (Con): Emily Drouet was a law student at the University of Aberdeen. She was kind, compassionate, intelligent and thoughtful. Emily died in 2016 when an incident occurred following a pattern of abuse by her boyfriend, Angus Milligan. The incident was initially treated as non-suspicious, but it later emerged that she had reported to the university an earlier assault that included strangulation.

At that time, non-fatal strangulation was poorly understood and often characterised as a minor assault. Police and medical professionals failed to recognise strangulation as a high-risk indicator of homicide. However, we know from the report, the

study that has been referenced and the powerful motion for today's debate that non-fatal strangulation is incredibly serious. It can directly cause internal injuries, including brain injury and hypoxia. It carries a high risk of delayed death and is one of the strongest predictors of future lethal violence.

Because of that, the EmilyTest campaign was set up to demand that strangulation should always trigger an urgent medical response and enhanced police safeguarding, even where the victim appears outwardly unharmed. The campaign is also one of many calling for non-fatal strangulation to be a stand-alone offence, as it has been in England and Wales since 2022, and in Northern Ireland since 2023.

It is certainly arguable that the absence of such an offence means that police and prosecutors lack a clear legal category, that data collection on incidents is poor, that the seriousness of strangulation might not be sufficiently recognised or deterred, and that public awareness of the life-threatening nature of strangulation remains low. Police Scotland and the Crown Office now recognise strangulation as a red flag for homicide risk, but absent such an offence, there is no statutory requirement that every report of strangulation should trigger an immediate medical assessment, specialist medical imaging or a specific risk or safeguarding review.

From the start, the EmilyTest campaign—it can be found on emilytest.org if anyone who is watching is impacted or concerned by what they are hearing—demanded action, setting out clear and articulate deliverables through means, including a petition, for a stand-alone criminal offence.

Here is my biggest concern: the Citizen Participation and Public Petitions Committee considered that petition last April; the Criminal Justice Committee examined it last summer; the Scottish Government's programme for government stated that it would carry out a comprehensive assessment of the law to determine whether further action is needed; and the Cabinet Secretary for Justice and Home Affairs updated the justice committee in November, saying that that comprehensive assessment would take place. In December, the Lord Advocate wrote to Fiona Drouet—who joins us in the public gallery today—acknowledging the concern and explaining the current position, but giving no firm direction forward.

Now here we are, 11 weeks from the dissolution of this Parliament and all that that entails, and the overwhelming impression is that the issue is not being prioritised sufficiently. Nearly a decade on from Emily's tragic death, the campaign tells me that it has yet to see tangible progress.

Thanks to Claire Baker's motion, the report that prompted it and all who contributed their time and expertise to it, the cabinet secretary has the chance, in her closing speech, to set out exactly what will be done to address the issue before May's election. She must not countenance any delays. We have a duty to Emily and all those impacted by the vicious practice of non-fatal strangulation—we owe it to them. Close the gaps, act now and make sure that no woman becomes another victim of this appalling violence.

13:14

Pauline McNeill (Glasgow) (Lab): I thank Claire Baker for securing the debate and bringing the matter to the Parliament. I endorse her view that the work that Tess White and Michelle Thomson have done in this Parliament on violence against women is notable and should be recognised.

I was shocked to read that, every year, more than 20,000 victims in the UK experience strangulation. I attended the briefing that Claire Baker hosted with the Women's Support Project and Beira's Place, which opened my eyes to something that, at the time, I knew very little about. It alarmed me to learn that, according to the UK Crown Prosecution Service, children were present for more than a third of non-fatal strangulation offences—I found that staggering.

At the briefing hosted by Claire Baker and others, I learned that the timeline of being strangled goes like this: in 6.8 seconds, the person is rendered unconscious; in 14 seconds, there is anoxic seizure; in 15 seconds, there is loss of bladder control; and, in only 30 seconds, there is loss of bowel control. Many members have talked about strangulation leading to a fatality—it takes only 62 seconds before that could happen. It is clear from that timeline why non-fatal strangulation often occurs at the most dangerous stage of the escalation of violence associated with later homicide.

I was particularly concerned to read about the normalisation that other members have talked about in relation to non-fatal strangulation, often known as choking, in young people's sexual habits. Strangulation has seeped into popular culture and social media, and there are reports that it has even been mentioned as a sexual preference on dating apps. We must act to prevent that normalisation by educating both men and women about the consequences of non-fatal strangulation.

There have been reports from sex education providers and teachers that they have been asked by children in school about how to safely choke a partner—needless to say, there is no way to safely

do something like that. As has already been mentioned, a study found that 43 per cent of sexually active 16 and 17-year-olds in the UK had experienced it.

Pornography is cited as the most common way for young people to learn about strangulation. Addressing the harms of extreme pornography must be central to our work on violence against women and girls. If we are to address violence against women and girls in the future, we need to confront the issue at the earliest opportunity, especially with children, to counter those damaging portrayals. We need to be clear that violent pornography normalises harm to women and girls. I was pleased to see the amendments to the UK's Crime and Policing Bill that criminalised the possession and publication of pornographic pictures of strangulation or suffocation, with duties on platforms to study the proliferation of those images.

I turn to the question whether we should legislate. The current framework is such that non-fatal strangulation is mainly treated as assault, which is defined in the common law as an attack on another person with evil intent. Penalties can range up to life imprisonment. Prosecutors are not required to prove visible injury or harm in order to secure a conviction for assault, provided that the act was intentional. However, as others have said, there are challenges in tracking how prevalent the issue is because there is no specific stand-alone crime and no individual marking system to accurately count and monitor such cases across Scotland. I think that, as Carol Mochan mentioned, it is worth exploring whether data could be collated at the Crown Office to give us at least an accurate picture of the scale of the problem. Although the issue has not been mentioned in the debate, members of this Parliament have raised the act of stealthing, which is the intentional act of secretly removing a condom or another barrier method without consent. That has also been prosecuted in our courts and is not a stand-alone crime.

We cannot rule out having a crime of NFS. We have a different legal system in Scotland from that in England, so we have flexibility in law making, and doing that should not be ruled out. It should be part of the work of the Parliament in the new session to consider it, and it should form part of the strategy of the Government of the day—whoever that may be—for its work on violence against women and girls.

13:19

Monica Lennon (Central Scotland) (Lab): I thank Claire Baker for securing this important debate and I thank all colleagues for their contributions—in particular, Tess White and Michelle Thomson, who have worked on a cross-

party basis to combat violence against women and girls, a subject that is close to my own heart and which I know is important to all of us.

In today's debate, I add my voice in support of the calls for the creation of a stand-alone offence of non-fatal strangulation. We cannot ignore the growing trend of sexual strangulation that is being normalised to a large extent by pornography and harmful so-called influencers, who are taking us backwards in society in so many respects. We cannot ignore that, because there is a link between intimate partner homicides and non-fatal strangulation. We need action to reduce such violence, to prevent harm and, as we have heard powerfully today from so many colleagues, to save lives.

We stand here today with more research and knowledge than ever before. I am grateful that the research that other members have touched on covers multiple international jurisdictions, so we are not looking at just a Scottish or UK context.

Like my colleagues, I pay tribute to Fiona Drouet—who is courageously with us today in the gallery—and to EmilyTest for the organisation's fantastic work across the spectrum of gender-based violence, which we must tackle. I say that not just as a politician but as a mother who can now sleep a little better at night knowing that my daughter is studying in an institution that is fully signed up to the EmilyTest charter. Fiona and I met to discuss the work of EmilyTest at South Lanarkshire College, which is another institution in my parliamentary region. Knowing that that discussion is happening in our colleges and universities gives us extra peace of mind.

However, we need to do much more. I think that we would all recognise that this issue is not down to one minister, one department or one agency. Just as we are showing cross-party working in the Parliament today, there needs to be a partnership approach.

I will not talk about the worrying statistics, because those have already been covered. However, I was alarmed to read in the report from the Institute for Addressing Strangulation that the most common age at which respondents report first starting to strangle others or being strangled is 18 to 20.

In preparing for the debate, I noticed that, just in December 2025, there was a big conference in Lancashire that brought together key stakeholders to shine a spotlight on non-fatal strangulation. Ministers may know about that conference, but if the cabinet secretary does not, it may be something to look into. It would be good to see something like that happen in Scotland, if nothing is already planned.

What public health messages can we get out there? EmilyTest's mission is to ensure that no other student ends up in Emily's shoes. That mission sits in my heart today as we bring our debate to a close and before we hear from the cabinet secretary. We can look at the data and the legal arguments, but we know that it is the human stories that have an impact and change behaviours.

I put on the record my support for the petition that went to the Citizen Participation and Public Petitions Committee and the motion that we are debating today. I hope that we can all work together to work with the Scottish Government to get the change that we all want to see.

13:23

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): I thank Claire Baker for bringing the important issue of non-fatal strangulation to the Parliament today. Over the past few years, I have had the opportunity to engage with Ms Baker on the matter, which has led to further Scottish Government activity with regard to exploring solutions. I will come to that point later in my remarks. I also acknowledge the speeches made in the debate by Michelle Thomson, Tess White, Carol Mochan, Liam Kerr, Pauline McNeill and Monica Lennon.

Principally, I pay tribute to survivors and researchers, as well as to Fiona Drouet, who I have also had the pleasure of meeting. We should also acknowledge the work that has been done and the evidence that has been taken by two parliamentary committees, the Citizen Participation and Public Petitions Committee and the Criminal Justice Committee, in relation to this debate.

I think that we are all horrified by the scale of the issue. As many members have acknowledged, non-fatal strangulation is extremely harmful. Choking reduces the flow of oxygen and can therefore cause damage to the brain and to the windpipe. Alongside the physical risks, anxiety, depression and loneliness are often associated with experiencing non-fatal strangulation.

Non-fatal strangulation is also used—mainly by men—to exert coercive control in relationships; Claire Baker spoke about the total control that some men seek. There is evidence—again, as other members acknowledged—that those men are more likely to carry out severe violence. A few members spoke about how non-fatal strangulation is a red flag.

Last month, Parliament debated 16 days of activism highlighting men's violence against women and girls. As many of us have acknowledged, Scotland has world-renowned

domestic abuse legislation that addresses the dynamics of coercive and controlling behaviour.

Tess White: I hear what the cabinet secretary says, and I am glad that she referred to the work of the Criminal Justice Committee. However, has she reviewed the committee's latest evidence from December? The professors on the panel had looked at the US, which introduced non-fatal strangulation as a stand-alone crime, state by state, and the evidence demonstrated that there was a clear correlation in that creating a stand-alone crime of non-fatal strangulation actually reduced deaths. That compelling evidence is the reason for holding this debate. If the cabinet secretary has not reviewed the data from those professors, will she now do so?

Angela Constance: I am aware of that evidence. Claire Baker, in her opening remarks, spoke about the importance of us all engaging with the evidence.

Later in my remarks, I will reflect on the current position in Scots law and address some of the concerns that members have obliquely referenced, and outline the action that the Scottish Government is taking forward. We do not have closed minds on the issue and I think that, given some of the evidence that the Criminal Justice Committee took, there are aspects that need to be considered further.

First, with regard to what needs done, I acknowledge that it is clearly very important that we have the means by which to identify cases of non-fatal strangulation in order to address that aspect of abuse of women and girls. I know that every member in the chamber is committed to taking whatever action is needed to address such abuse. That includes enabling societal and cultural change to address the factors that risk normalising such behaviour. For example, we have agreed that the new offences in the UK Crime and Policing Bill that criminalise pornography featuring "strangulation or suffocation" will extend to Scotland if the bill is passed.

I also welcome the updated NHS Inform web pages that provide information on fatal and non-fatal strangulation, and highlight that

"there is no safe way to be strangled"

and that

"It's a criminal offence to cause harm through strangulation."

I now turn to the proposal for a stand-alone offence—

Monica Lennon: Will the cabinet secretary take an intervention?

Angela Constance: Of course—briefly, thank you.

Monica Lennon: I am grateful to the cabinet secretary for taking my intervention before she moves on to the next point. I appreciate the efforts that are being made, and the NHS Inform website is always worth a visit, but I am not sure that a huge number of 16, 17 and 18-year-olds are going on to that site.

Given the growing trend of non-fatal strangulation, which is worrying us all, what more can Government do to get out the message that there is no safe way to strangle or be strangled? How do we get that message into our classrooms and on to social media in a more positive way? What other levers can Government pull, so that we can support that message?

Angela Constance: Ms Lennon raises an important point. The work that goes on in schools around the equally safe strategy and the curriculum input on healthy relationships—which, of course, focuses a lot on the importance of consent—is important in that regard. I will pick up further on the consultation that we will take forward and the survey information that Ms Baker and I have discussed. The point about online harms, particularly in relation to intimate images, will be a factor in the forthcoming consultation.

On the issue of a stand-alone offence, I know that members are aware that the UK Parliament has legislated for a specific offence of non-fatal strangulation in England, Wales and Northern Ireland. It is important to recognise that that was done mainly to address a specific issue in those jurisdictions where non-fatal strangulation that did not result in visible injury could only be prosecuted using the statutory offence of common assault, which carries a maximum penalty of six months' imprisonment. Understandably, that was something that those jurisdictions wished to address.

Non-fatal strangulation is already criminal under Scots law and can be dealt with using a range of offences. That is an important message to reiterate. It does not mean that minds are closed on the issue or that there is no further action to take forward. However, with regard to Ms Lennon's point about education and giving out correct societal messages, it is important to be clear that non-fatal strangulation is already a criminal offence. The relevant offences include: common-law assault with penalties up to life imprisonment; sexual assault with penalties up to life imprisonment; and part of a course of conduct prosecuted as a domestic abuse offence with penalties up to 14 years' imprisonment. The Crown Office, as the independent prosecutor, is clear that it approaches non-fatal strangulation seriously and that it uses those laws where the evidence supports their use.

Another important factor to note is that, in contrast with the law in England, Wales and Northern Ireland, in Scotland there is no defence of consent to strangulation. That is a significant feature of the better protection that is offered in Scots law. Again, it is important to send out to our society and communities the message that there is no defence of consent to strangulation.

I understand and respect deeply the view that creating a specific offence could send a message about the unacceptability of non-fatal strangulation and could help measure its prevalence. I recognise that those are important factors and that, by their very nature, those arguments are powerful. However, I want to guard against any risk of unintended consequences. I say that in light of the evidence that was highlighted by the Crown Office and Procurator Fiscal Service in its evidence to the Criminal Justice Committee last year in relation to a specific offence as distinct from assault. The issue is that there would need to be corroboration specifically of the strangulation and not simply of the assault or domestic abuse. We have already heard from members today that one of the salient issues with non-fatal strangulation is that it often leaves no visible signs. The fact that corroboration would be required might mean that creating a specific offence would result in the underestimation of the true prevalence of the issue, as cases involving non-fatal strangulation might continue to be prosecuted as assault, sexual assault or domestic abuse.

I stress that this is an issue that the Government and I take seriously. Although existing laws operate well in protecting victims and dealing with perpetrators, we will shortly publish a public consultation to seek views on this area of the law, as set out in our programme for government. We will continue to engage with views and with the evidence. As I mentioned, that consultation will also include a look at online harms—particularly in relation to intimate images—as well as spiking, a statutory aggravation for offences against pregnant women, and prosecutorial powers to impose non-harassment—

The Deputy Presiding Officer: Cabinet secretary, I appreciate that there is a lot of information to impart on what is a very important matter, but you have gone considerably over your time.

Angela Constance: Forgive me.

Liam Kerr: Is there time for the cabinet secretary to take an intervention?

The Deputy Presiding Officer: I am afraid that there is no time for interventions because we are running fairly late.

Angela Constance: I agree with the motion's sentiment that non-fatal strangulation should not

go unrecorded, and I have spoken in detail about the consultation. My final piece of information for the Parliament is that, as a result of engagement with Claire Baker, alongside the consultation on data collection in the justice system, the 2025-26 Scottish crime and justice survey includes, for the first time, questions in relation to non-fatal strangulation. That field work is due to finish in March this year, and initial results are expected to be included in the 2026-27 main findings report.

I thank members for their contributions. This is a serious issue on which we, as a Government, will continue to engage.

The Deputy Presiding Officer: That concludes the debate.

13:36

Meeting suspended.

14:30

On resuming—

Portfolio Question Time

Education and Skills

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business is portfolio question time. On this occasion the portfolio is education and skills. I advise members that there is considerable interest in supplementaries. If I am to get them in, they will need to be brief—no preambles or multiple questions—and the answers will need to be similarly brief.

Schools (Damage and Repair Costs)

1. Douglas Lumsden (North East Scotland) (Con): To ask the Scottish Government what action it is taking to manage and reduce damage and repair costs in schools. (S6O-05347)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Local authorities are responsible for the management of their school estate, including managing damage and repair. Although it is the statutory responsibility of local authorities to maintain their school estate, the Scottish Government continues to provide significant investment through the £2 billion learning estate investment programme.

The 2025 school estate statistics show that the proportion of school buildings in good or satisfactory condition has increased to 92 per cent, compared with 62.7 per cent in 2007 when this Government first came into office.

Douglas Lumsden: In the past five years, Aberdeen City Council has spent more than £1.2 million on repairing vandalism in schools, with annual costs more than doubling during that period. That mirrors the almost £8 million that is spent by councils across Scotland and points to a wider breakdown in behaviour and discipline. Does the cabinet secretary accept that her Government's failure to support schools on behaviour and discipline is leaving councils to pick up a growing bill?

Jenny Gilruth: Mr Lumsden's question has been informed by freedom of information data that has been gleaned by the Scottish Conservatives. If they are able to share that information with my office, I would like to interrogate it further with Aberdeen City Council because it is an important matter.

I also understand that we are not able to extrapolate from the data alone whether the vandalism was caused by young people. It is important that we do not demonise them by

presuming that all vandalism has been carried out by young people themselves.

We are committed to improving relationships and behaviour in our schools. I have set out to members a range of measures that the Government has taken in that respect since 2023, not least in our approach to increasing and improving the number of teachers in our school, increasing funding for additional support needs measures and introducing the national action plan on behaviour and relationships.

The member raises an important point, and I will ask my officials to engage directly with Aberdeen City Council on the substantive point that he makes.

George Adam (Paisley) (SNP): It was my forlorn hope that the Tories might have made a resolution to stop talking Scotland down in 2026. Does the cabinet secretary share my concern that there is an assumption that such issues are caused by children of school age and that they involve the majority of children? Is there a failure to focus on anything positive in our schools? What action is the Scottish Government taking to ensure that our schools are safe, welcoming and high-quality places for pupils and staff?

Jenny Gilruth: It is important that members from across the chamber do not seek to demonise the next generation of children and young people, who are the generation that lived through the Covid pandemic. When we talk about vandalism, we must not presume that it has all been caused by children and young people. In many instances, that will not have been the case.

In broader terms, there is much to celebrate in Scotland's schools. Last month, official statistics showed the highest attainment levels on record in literacy and numeracy in our primary and secondary schools. There are more teachers, smaller class sizes, better pupil teacher ratios, more children attending school more regularly and a narrowing of the attainment gap in both primary and secondary schools.

With all that good news, I am sure that the Opposition has come back in this new year with a positive mindset, and is ready to celebrate and support Scotland's educators, children and young people.

Foysoil Choudhury (Lothian) (Ind): For more than two years, more than half of St Kentigern's academy in Blackburn has been shut after deteriorating reinforced autoclaved aerated concrete rendered the building unsafe. More than 1,100 students have been crammed into half a school. West Lothian Council needs £15 million from the Scottish Government to complete the repairs and reopen the school. Will the cabinet secretary agree to reconsider its request, to

ensure that children in Blackburn get the best out of St Kentigern's without the council needing to borrow the money?

Jenny Gilruth: I have visited the school in question and seen the fantastic work that West Lothian Council is leading in response to the huge challenges facing its school estate, which I understand are a direct result of RAAC.

In the same way as many other local authorities have done, West Lothian Council has benefited from additionality from the Scottish Government for its school estate. However, I will continue to engage with the local authority on the issue, as I have done throughout the past year.

School Premises (General Requirements and Standards) (Scotland) Regulations 1967 (Consultation)

2. Maggie Chapman (North East Scotland) (Green): To ask the Scottish Government how it will support young people to engage with the consultation on updating the School Premises (General Requirements and Standards) (Scotland) Regulations 1967. (S6O-05348)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): The Scottish Government places the highest importance on listening to the voices of children and young people. We are committed to ensuring that they have the opportunity to engage fully with the consultation on proposals to update the school premises regulations.

The matter of the consultation was raised during my meeting with the Children's Parliament last month. In advance of the consultation's launch, my officials also met members of the Children's Parliament to seek their views and have offered further engagement to support them in submitting a response to the consultation. In addition, my officials have written to the Scottish Youth Parliament to highlight that the consultation is now live and to encourage its participation. That input will help to ensure that the updated regulations reflect the needs and aspirations of Scotland's children and young people.

Maggie Chapman: It is so important that those who are directly affected by decisions and changes are included in discussions.

At the end of September 2025, the Scottish Government changed its "Supporting Transgender Pupils in Schools" guidance. The previous version said that trans pupils should be able to use toilets that align with their gender identity. The new guidance says that there must be separate single-sex toilets for boys and girls, with additional gender-neutral provision. Can the cabinet secretary outline how the segregation of young trans people ensures inclusion, safety and support

for them? How will she ensure that trans pupils are safe, supported and included in schools throughout the consultation process?

Jenny Gilruth: As the member alluded to, at the end of last year, and in light of the Supreme Court ruling, the Government provided updated guidance on the issues that she has raised today. The consultation is separate to that, although the member has raised wider issues in relation to how we can support trans pupils in our schools. We are seeing rising levels of anxiety across the board at the current time. As cabinet secretary, I am mindful of that and have sought to engage with trade unions and the Convention of Scottish Local Authorities on those matters.

The consultation is broader than the issues that Maggie Chapman has raised today. For example, it considers issues such as ventilation and school site size, all of which should be considered in the mix of how we ensure that school design, in particular, is fit for purpose in delivering education.

College Sector Pay

3. Katy Clark (West Scotland) (Lab): To ask the Scottish Government what steps it is taking to improve pay in the college sector. (S6O-05349)

The Minister for Higher and Further Education (Ben Macpherson): It is important to emphasise that the Scottish Government is not responsible for setting pay in the college sector, where pay, terms and conditions are negotiated by college employers and trade unions via voluntary national bargaining arrangements.

Despite the pressures on the public finances, the Scottish Government has demonstrated its commitment to staff in Scotland's colleges by supporting pay deals for both lecturing and support staff. We have provided an additional £4.5 million for lecturers' pay to support a four-year pay deal delivering a £5,000 consolidated pay rise in the first three years, as well as a further 4.14 per cent rise in 2025-26. Moreover, we have recently provided an additional sum of almost £5 million for support staff pay, which will support years 1 and 2 of a three-year pay deal delivering rises of 4.25 per cent in 2025-26, 3.4 per cent in 2026-27 and 3 per cent in 2027-28.

Katy Clark: College Employers Scotland is set to impose a pay agreement on workers across colleges, despite failing to secure support from staff and trade unions in the sector. In a vote among GMB union members, 85 per cent chose to reject the proposed pay offer, which the union warns is a real-terms pay cut in disguise. With that sitting alongside a 7 per cent cut in staffing across the sector, is it not clear that Scotland's college workers deserve both fair pay and security of employment from the Scottish Government?

Ben Macpherson: Our support staff play an important role across our education sector, including in our colleges. I had a school support staff role myself earlier in my working life, which is why, since coming into my current role, I have been pleased to work with the college sector and trade unions to agree the support staff pay deal that I mentioned in my first answer. It is important to recognise that that has been accepted by the trade unions as a whole. However, I note the position of the GMB, which has written to me directly. I have committed to meeting that union and look forward to that discussion.

The Deputy Presiding Officer: We have time for a couple of supplementary questions as long as they are brief.

Paul McLennan (East Lothian) (SNP): The contribution of staff in Scotland's colleges to education and society is hugely valued. How is the Scottish Government encouraging constructive discussion between staff and employers?

Ben Macpherson: I absolutely agree with the sentiment that the member has expressed, and I put on the record again the Scottish Government's gratitude to staff in Scotland's colleges for the invaluable contribution that they make. We deeply value the contribution of all our colleges to local communities and the wider Scottish economy, which could not be achieved without the commitment of staff throughout the sector. We have been pleased to hear of improved industrial relations in the sector and we commend the efforts that have been made to foster and take forward those positive and constructive industrial relations.

Miles Briggs (Lothian) (Con): Since 2021, Scottish Government investment in colleges has fallen by 20 per cent, leading to 12 per cent fewer students and nearly 9 per cent fewer staff. As well as the reduction in core funding, individual funding streams have been withdrawn, including the promised £26 million for transformation and £10 million for a flexible workforce development fund. What discussions have ministers now had with colleges that are expressing that they have severe and deteriorating financial situations? What support will the Government give them?

Ben Macpherson: In recent times, since I came into post and through the work of my predecessor and the Cabinet Secretary for Education and Skills, we have engaged significantly on questions of budget and finance with both Colleges Scotland, on behalf of the sector, and individual colleges. In that engagement and our engagement with ministerial colleagues, we have sought to emphasise the case for the college sector, given its contributions to the economy and local communities, as well as its contribution to individuals who are enriched and improve their life circumstances through studying at college.

The Scottish Government's budget, which will be published on 13 January, will set out the Government's spending in different areas. I look forward to the Scottish Conservatives, including Miles Briggs, voting for that budget.

Schools (Pupil Attendance)

4. Meghan Gallacher (Central Scotland) (Con): To ask the Scottish Government what action it is taking to improve pupil attendance in schools. (S6O-05350)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): The Scottish Government is committed to improving school attendance and we have intensified our support for schools and local authorities. Education Scotland is providing bespoke support in areas where attendance remains a challenge. Its improving attendance quality improvement programme offers tailored support, with 16 councils being engaged and a third cohort starting this month. In October, we ran a national campaign with Parent Club to help families to address underlying issues that affect attendance and ensure that pupils return to, engage with and benefit from their learning.

I am greatly encouraged that we have now seen improvements in attendance and reductions in persistent absence for two consecutive years. We will update our national attendance guidance in spring 2026 to further support improvements in attendance.

Meghan Gallacher: Data shows that, since 2019-20, more than 73,000 pupils have missed at least half of their schooling, with more than 6,000 not attending school at all. Persistent absence not only impacts on children's educational experience; it risks long-term harm to their education and wellbeing. Will the cabinet secretary accept that urgent national action is required and that the Scottish National Party Government has failed to act with urgency on the issue?

Jenny Gilruth: I very much share the sentiment behind what Meghan Gallacher has set out in the chamber today. However, I draw the Parliament's attention to the most recent statistics, which, in the member's Central Scotland region, show improvements in attendance in Falkirk, North Lanarkshire and South Lanarkshire. In relation to persistent absence—the Government introduced that new measurement two years ago, I think, because we did not previously have that data set and we thought that it was important that we gathered it—we have seen decreases of 3.7 per cent in Falkirk, 2.3 per cent in North Lanarkshire and 3 per cent in South Lanarkshire. That is welcome. We are on a trajectory of improvement.

However, I accept the member's challenge on the overall issues that have been experienced in

relation to attendance. I set out some of the work that Education Scotland is taking forward, which includes tailored, intensive support for local authorities where there are issues. A small percentage of pupils—I think that the figure was 2.4 per cent in 2024-25—have very low attendance. We know that incredibly complex factors underpin that, which can relate to factors such as anxiety and additional support needs, and that is why we have tasked Education Scotland with providing that tailored support. The new chief inspector will also have a key role to play in relation to the improvement that Meghan Gallacher called for, but it is being delivered at the current time, as our national statistics show.

Grooming Gangs and Sexual Exploitation

5. Sandesh Gulhane (Glasgow) (Con): To ask the Scottish Government what steps it is taking to protect young people from grooming gangs and sexual exploitation. (S6O-05351)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): We are committed to ensuring that robust protection measures are in place to protect children and young people from sexual exploitation.

We published revised national child protection guidance back in 2023, and we are rolling out national training of interagency referral discussions to support local services and professionals. Those vital discussions bring together partners to share information, assess risk and agree a safety plan following a reported concern about a child. I also announced additional funding to third sector organisations and Police Scotland on 17 December 2025 to support the protection of children from sexual exploitation.

Sandesh Gulhane: Grooming gangs are organised, co-ordinated and calculated in their exploitation, abuse and rape of vulnerable children. Recent Scottish Conservative freedom of information requests show that the Scottish Government does not hold a national picture on where high-risk, group-based sexual offenders are being supervised. Those predators work together to target children.

In the same way that we know where offenders of serious organised crimes are located, we should know where networked grooming gang members are and what they are doing. Will the cabinet secretary commit to tracking those offenders in the same way that serious organised crime members are tracked? Will she facilitate a meeting to allow us to discuss that with the serious organised crime task force?

Jenny Gilruth: Mr Gulhane raises a very important matter. I am aware that Opposition party leaders and spokespeople have been invited to

next week's round-table meeting with Police Scotland and Professor Alexis Jay. I do not think that Mr Gulhane has been invited yet, but I extend an invitation to him today, because responses to the issues that he raises would be better provided by an update from Police Scotland and Professor Alexis Jay in relation to their work.

There is a broader issue in relation to the evidence base, which might lead to further inquiries at the end of the parliamentary session, as I have alluded to previously. However, it is important that the evidence base is substantiated by the wider work of the review that I committed to earlier in December. If Mr Gulhane would like to engage with the wider work that Professor Alexis Jay and Police Scotland are leading on, I suggest that, if he is able to attend the meeting next week, he would benefit from the update that will be shared then. He raised important issues, and I agree with him on them.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): Efforts to protect children and young people from harm are a priority for all members. How is the Scottish Government working to ensure that support for survivors is trauma informed and accessible?

Jenny Gilruth: As I alluded to in my response in December, I announced further funding to provide free access to online harm e-learning. Ensuring that survivors can access the support that they need is key. The Cabinet Secretary for Justice and Home Affairs and I wrote to the cross-party group on adult survivors of childhood sexual abuse, because we want to hear more from the wide range of survivors that it represents about how we can ensure that they can access a range of support and that our approach is trauma informed and accessible, which was the member's substantive point.

The Deputy Presiding Officer: Question 6 is from Fergus Ewing.

Touch Typing

6. Fergus Ewing (Inverness and Nairn) (Ind): Deputy Presiding Officer, I apologise that I have to leave after I ask my question and hear answers to any supplementary questions. I have a committee meeting to attend. I am grateful for your dispensation.

To ask the Scottish Government whether it plans to devise, and deliver to every school pupil, a programme that provides the opportunity to learn how to touch type. (S6O-05352)

The Minister for Children, Young People and The Promise (Natalie Don-Innes): Typing qualifications and free-to-access programmes that are aimed at developing touch-typing skills are already available for pupils, and it is for individual

schools to decide what to offer, reflecting their local priorities.

The curriculum improvement cycle will ensure that Scotland's curriculum remains forward looking, reflects the needs of today's children and young people and supports high-quality teaching and learning. The review of the technologies curriculum, which includes computing science and consideration of digital skills as a cross-curricular theme, is under way, and a draft evolved curriculum technical framework is due for publication in summer 2026.

Fergus Ewing: That rather long answer seems to be a synonym for the word "no". Does the minister accept touch typing is a skill that aids productivity, speed and accuracy of communication, and that it is more relevant now than ever, as just about every type of employment requires people to communicate effectively? Learning to touch type is compulsory in other countries, such as the USA, Australia and Canada. Is it the biggest failure of a Parliament not to provide children with opportunities? If we do not make it compulsory, children will be denied an opportunity that could enhance their life for ever.

Natalie Don-Innes: I absolutely agree with some of the points that Mr Ewing raised, and he made an extremely important point when he highlighted the importance of being digitally literate and having the skills that are required to grasp career opportunities in the 21st century. As I said, those resources are already available for local schools, and it is for them to decide, based on what is best for their area.

I will add to my previous response. Work to improve the technologies curriculum, as part of the curriculum improvement cycle, is now under way. That will provide an opportunity for us to consider further the knowledge, understanding, skills and practical activities that children and young people need to develop to ensure that they can grasp career opportunities in the 21st century. As part of the curriculum improvement cycle, cross-curricular themes, such as digital skills and entrepreneurship, will be clarified, strengthened and embedded in the curriculum. The use of digital technology, of which the use of touch typing is particularly relevant, is a key aspect of the digital skills cross-curricular theme.

The Deputy Presiding Officer: I see that my plea at the start of proceedings has fallen on somewhat deaf ears in parts of the chamber. I will try to get the supplementaries in, but the questions will need to be brief, as will the responses, and that will be the same going forward.

Joe FitzPatrick (Dundee City West) (SNP): The minister mentioned digital literacy. I remember learning, some 30 years ago, to touch type on

software that would be unrecognisable now. Digital literacy is really important. My city of Dundee is renowned for its digital success.

The Deputy Presiding Officer: Please ask a question.

Joe FitzPatrick: What more are we doing to use online educational tools to support digital literacy, which is so important?

Natalie Don-Innes: As one example, in 2025-26, we are providing £71,000 in funding to Time for Inclusive Education, to further develop its digital discourse initiative. That free resource is available to schools to teach students to assess sources, fact check and spot false or prejudicial content. The digital discourse initiative also includes an online teacher-training module covering social media disinformation, hate speech, extremism, radicalisation, strategies for countering disinformation and a number of other aspects. The Scottish Government also funds the national e-learning offer, which provides a range of resources to support learning across the curriculum.

Stephen Kerr (Central Scotland) (Con): The ministers are making a huge mistake by dismissing Fergus Ewing's serious suggestion as lightly as they are, because touch typing and keyboard skills are critical to productivity. We have 550 computing science teachers in Scotland right now, which is the lowest that it has been for five years.

The Deputy Presiding Officer: Please ask a question.

Stephen Kerr: That is 28 per cent down on the number in post when the Scottish National Party came to power.

The Deputy Presiding Officer: Please ask a question.

Stephen Kerr: My question is this: how many computing science teachers are currently in training?

The Deputy Presiding Officer: That is not directly relevant to the topic, but the minister may answer.

Natalie Don-Innes: I would have to ask the Cabinet Secretary for Education and Skills to write to Mr Kerr with the specific details. However, as Mr Kerr knows, we have invested in our teachers and in teacher training.

Modern Apprenticeships

7. Stuart McMillan (Greenock and Inverclyde) (SNP): To ask the Scottish Government when it last met Skills Development Scotland to discuss the development of new modern apprenticeships. (S6O-05353)

The Minister for Higher and Further Education (Ben Macpherson): The Scottish Government and Skills Development Scotland officials are members of the apprenticeship approvals group, which is an employer-led group of industry experts and key stakeholders. The AAG meets monthly to approve new and revised Scottish apprenticeships and to understand demand for new apprenticeships. That includes ensuring that any framework that is submitted for approval has undergone extensive industry consultation and is supported by clear evidence of sector demand.

Stuart McMillan: The minister will be aware that I have been highlighting the lack of regulation covering the pet service sector, particularly pet grooming. After engaging with several agencies on the practicalities of that, the general consensus is that the standards of those offering pet services could negate the need for regulation.

Consequently, will the Scottish Government commit to engaging with qualifications Scotland and SDS to consider the development of modern apprenticeships for young people seeking a career in pet grooming, as it would appear that only three colleges in Scotland currently offer such a qualification?

Ben Macpherson: With regard to that and other areas, we welcome the opportunity to look at expanding the range of available apprenticeships, where appropriate.

Apprenticeships in Scotland support key sectors and are demand led. The development of any new modern apprenticeship framework would require clear evidence of employer demand, alongside a strong case that an apprenticeship is the most appropriate training route. Skills Development Scotland works closely with industry to assess demand and can support the development of new frameworks, where appropriate. I encourage Mr McMillan to engage further with Skills Development Scotland and others in the sector. SDS can offer guidance on what options are available.

Paul O’Kane (West Scotland) (Lab): Last year, 9,000 fewer apprenticeships in colleges and industry were asked for at a time when one in eight young people were out of work. This Government promised recovery from the pandemic. Does the minister not recognise that the hollowing out of colleges and not returning apprenticeship numbers to pre-pandemic levels is an abject failure of that promise?

Ben Macpherson: This Government regularly emphasises the importance of our college sector and apprenticeships. Last year, more than 25,000 people started a modern apprenticeship in Scotland. This year, we are providing £185 million

to support 25,500 new modern apprenticeships, 5,000 new foundation apprenticeships and more than 1,200 new graduate apprenticeships. We are also continuing to provide support for more than 38,000 apprentices who are already in training, as at 26 September 2025.

We appreciate that there is growing demand for apprenticeships. We are working with industry and the college sector on how we can build on that success. We have a successful picture in Scotland. Let us work together to make it even better.

Teacher Numbers

8. Alexander Stewart (Mid Scotland and Fife) (Con): To ask the Scottish Government how it is supporting local authorities to maintain and increase teacher numbers. (S6O-05354)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Since 2014, teacher numbers have increased by more than 2,700, as a result of investment from the Scottish Government. We provided additional funding of £41 million in this year’s budget, which uplifted the ring-fenced funding to protect teacher numbers to £186.5 million. As a result of that increased funding, the census data that was published in December shows an overall increase in the number of teachers for the first time since 2022.

Alexander Stewart: Ministers will point to a slight increase, but the reality is that teacher numbers fell in half of Scotland’s local authorities last year, despite repeated promises to restore teacher numbers to 2023 levels. With the threat of industrial action looming, what measures can be put in place to restore confidence and teacher numbers as a matter of urgency across all local authorities?

Jenny Gilruth: I thank Mr Stewart for his interest in teacher numbers, but I have to observe that, in Fife, which is part of his region, teacher numbers fell by 49. As the member may recall, Fife Council is led by the Labour Party—despite the Scottish National Party being the largest party, we are locked out of power—and it depends very much on the votes of Conservative councillors.

I recall listening to a colleague of Alexander Stewart’s at an Educational Institute of Scotland hustings not long ago giving an assurance to parents and carers that she would not have voted for Fife Council’s budget had she thought that it would lead to a cut in teacher numbers, but that is exactly what has happened. Fife Council has taken the money and has cut teacher numbers. I do not think that that is particularly credible. I am sure that Mr Stewart would agree with that position, and I am sure that his council colleagues will be thinking very seriously about whether they

can continue to support Fife Labour in cutting teacher numbers while it has had additionality from this Government.

I have set out the extra funding that has come from the Government. Of course, budget negotiations are on-going, and I am sure that the Conservatives will be looking carefully at the extra funding for teacher numbers, to protect those numbers, and welcoming the fact that, for the first time since 2022, teacher numbers have increased.

The Deputy Presiding Officer: I am conscious that ministerial responses have been on the long side. I want to protect the opportunity for back benchers to ask questions, but they will have to be brief, as will the responses.

Clare Haughey (Rutherglen) (SNP): The SNP Government is increasing teacher numbers, attainment and attendance. How is the record funding for education, which I note that the member who asked the original question did not vote for, ensuring that the pupil to teacher ratio continues to improve and is comparatively better than elsewhere in the United Kingdom?

Jenny Gilruth: The Scottish Government's investment means that, in Scotland, we have the most teachers per pupil in the UK and that school education spend per person is higher than it is elsewhere in the UK. Since 2009-10, school spending per pupil in Scotland has increased by 21 per cent in real terms, and, in 2024-25, the Government invested £10,100 per pupil, compared with £8,400 in England. As a result, Scotland's pupil to teacher ratio has improved to 13.2, remaining by far the lowest in the UK. I accept that there is clearly more to do to deliver equity and excellence in Scottish education, but the investment that this Government is making is ensuring that Scotland's children and young people have the best conditions for learning anywhere in the UK.

Willie Rennie (North East Fife) (LD): I thought that the cabinet secretary would be a bit more exercised about the fact that we are on the verge of teachers going on strike and schools being shut at the end of January because of this Government's failure to deliver 3,500 extra teachers and cut teacher contact time by 90 minutes. What response does she have for members and for teachers out there who are desperate for answers?

Jenny Gilruth: Mr Rennie is another Fife MSP. His Liberal Democrat colleagues supported the Labour budget that I spoke about earlier, which took extra money from this Government and led to a reduction in Fife of 49 teachers.

I do not think that it is credible to come to the chamber and say that, Mr Rennie. Mr Rennie voted for a budget to increase and maintain

teacher numbers, and his Fife Council councillor colleagues have voted for cuts to reduce teacher numbers. That is not credible at all in relation to how our democracy works.

More broadly, we have provided additionality for teacher numbers. On industrial action, we will continue to work with our teaching trade union colleagues—I met them only this morning—to ensure that we get a resolution to that dispute.

The Deputy Presiding Officer: Thank you very much indeed. That concludes portfolio questions. There will be a brief pause before we move to the next item of business.

Building Safety Levy (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-20285, in the name of Ivan McKee, on the Building Safety Levy (Scotland) Bill at stage 1. I invite members who wish to participate to press their request-to-speak buttons.

15:00

The Minister for Public Finance (Ivan McKee): The tragic events at Grenfell tower in 2017 shocked us all and highlighted the need to address the issue of unsafe cladding across all four nations of the United Kingdom. The Scottish Government has been clear from the outset that it will do what is right and necessary to fully address the challenge of remediating buildings that are affected by unsafe cladding. Last year, we published estimates for the cost of the cladding remediation programme, which suggested a funding requirement of between £1.7 billion and £3.1 billion over a 15-year programme of works. That will require a significant amount of capital investment, which will represent sustained pressure on our budget. Nevertheless, it is absolutely necessary that the work is taken forward.

Initially, we called for a four-nations approach to cladding remediation funding. However, the UK Government has chosen to proceed with its own funding model. In October 2026, it will introduce a building safety levy in England.

Craig Hoy (South Scotland) (Con): I understand the financial pressures that the Scottish Government is facing, but it has already received nearly £100 million specifically for cladding remediation. Can the minister say how much of that has been spent and where the remainder of that money is?

Ivan McKee: I have been clear in the numbers that I have just indicated that between £1.7 billion and £3.1 billion will be required for cladding remediation. That money will be spent as part of the programme of works. As I said, we initially called for a four-nations approach to the funding.

Stephen Kerr (Central Scotland) (Con): I think that the minister may have misunderstood Craig Hoy's question. He was asking about the £97.1 million that the Government received from the Treasury for the purposes of the amelioration of cladding on high-rise buildings. Craig Hoy's question was about how much of the £97.1 million has been spent and how much remains in the fund.

Ivan McKee: The member is aware that that money will all be spent on cladding remediation. Of course, we first need to identify the buildings and go through the proper process to identify where it will be spent, which is an important part of the process.

The levy in England was introduced by the previous Conservative Administration and is being delivered by the current Labour Administration. The regulations to give effect to the levy achieved cross-party support last year. The principle that we have strived for, as has the rest of the UK, is fairness: fairness for taxpayers and for owners and occupiers of impacted buildings. In that vein, we believe that it is only right and fair that a similar contribution be sought in Scotland to prevent disproportionate costs from falling on the general taxpayer.

The Building Safety Levy (Scotland) Bill will provide vital funding to support the delivery of the cladding programme. That is underpinned by the Housing (Cladding Remediation) (Scotland) Act 2024, which was unanimously supported in the Parliament just over 12 months ago.

John Mason (Glasgow Shettleston) (Ind): I thank the minister for being generous with his time. How would he respond to those who say that not all developers are guilty in the use of cladding and that local authorities, manufacturers and others were involved? Should they not be paying part of the costs?

Ivan McKee: I have already indicated that the amount that we are asking developers to pay is a small percentage of the total bill for cladding—I will come on to talk about specific numbers. The public purse will be picking up most of the rest of the cost.

I recognise that new tax measures are not popular, particularly with those who will be directly affected by them, but the work of the programme does not come free. No competent alternative funding models have been identified or put forward and no UK-wide solution is forthcoming. As a fiscally responsible Government, we must take those difficult decisions, and we are taking those decisions at a time when the Government is grappling with some of the most challenging financial circumstances since the Parliament was established.

Michelle Thomson (Falkirk East) (SNP): Will the minister take an intervention?

Ivan McKee: Do I have time, Presiding Officer?

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

Michelle Thomson: I appreciate that, and I will be very quick. In relation to the minister's comment that no further proposals were

forthcoming, does the minister accept that Fionna Kell from Homes for Scotland said in her evidence to our committee that it was not asked to identify alternatives?

Ivan McKee: The Government will, of course, listen to people who come forward with proposals, and it is no secret that that work has been under way for a period of time. If there were alternative proposals, we would have expected those to have been put forward.

Regarding the stage 1 report, I take the opportunity to thank everyone who gave evidence during the stage 1 process and the many stakeholders who have supported the development of the legislation so far. I also thank the Finance and Public Administration Committee for its detailed scrutiny of the bill and its stage 1 report. I know that no recommendation was made on the general principles of the bill, and I trust that the committee and the Parliament more widely will receive my response to the stage 1 report and my remarks today in the spirit in which they are intended, which is one of positive engagement with the substance of the committee's findings and its concerns.

I note that the committee's primary concern was around impacts. Although both the Scottish and UK Governments assess that the overall impact of the respective levies will be low, it is right that the topic is given appropriate consideration.

I will draw attention to areas where I can provide updates that look to address concerns around impacts. First, regarding the levy-free allowance, as I set out in my stage 1 report response, it is my intention to indicate a 19-unit threshold for the levy-free allowance in the bill. That annual allowance of levy-free units will apply equally across the tax base. Our analysis indicates that a threshold of 19 units will exempt just under 20 per cent of new-build sales from the charge and remove just under 80 per cent of those undertaking relevant development activity from any need to interact with the tax at all. That will, of course, protect small and medium-sized developers by either removing them entirely from the charge or providing a sizeable reduction in their chargeable activities.

The levy-free allowance will play a role in mitigating impacts on rural development, with its effects being most acute in those areas that are designated as "remote small towns" and "remote rural areas" under the Scottish Government's sixfold urban rural classification. As viability in remote rural areas was particularly raised by the committee, I confirm that we will continue the work that we have been undertaking with rural stakeholders throughout stage 1 to ascertain whether additional measures are required to effectively protect rural development.

The committee also recommended that affordable homes that are funded by local authorities should not be subject to the levy. I agree with that position. Provision that is already included in the bill captures the vast majority of social and affordable homes that are being delivered, and we will continue to engage with the Convention of Scottish Local Authorities and local authorities to ensure that all relevant activity is captured.

The committee raised a further concern around measuring impacts. At £30 million per annum, the levy represents around 0.6 per cent of the value of the new-build housing market in Scotland. It has also been introduced alongside an equivalent levy in England, which significantly reduces any risk of tax arbitrage. I welcome the committee's ask for further details on the impact. As I stated at my evidence session on the bill on 18 November last year, it is my intention that indicative rates for the levy will be published in June this year, alongside the appropriate impact assessments.

The committee has recommended a strengthening of the reporting requirements in the bill to require the Scottish Government to report at intervals of three years and to include an assessment of the impacts of the measure on the Scottish housing market. I am happy to accept those recommendations and confirm my intention to lodge an amendment at stage 2 to reflect that.

I hope that those updates and commitments address the key issues that the committee highlighted in its stage 1 report, and I welcome any further questions from colleagues.

The bill is about funding cladding remediation in a way that is fair. If the bill is not supported, the Scottish Government will have no choice but to look to the existing capital budget envelope for the amount between £360 million and £450 million that the levy is intended to generate over 12 to 15 years.

I look forward to discussions this afternoon, and I ask members to reflect on my comments now and in my stage 1 report response, and to support the bill at decision time.

I move,

That the Parliament agrees to the general principles of the Building Safety Levy (Scotland) Bill.

The Deputy Presiding Officer: I call Kenneth Gibson to speak on behalf of the Finance and Public Administration Committee, for around eight minutes.

15:09

Kenneth Gibson (Cunninghame North) (SNP): I am pleased to speak on behalf of the Finance and Public Administration Committee,

which was the lead committee for stage 1 scrutiny of the Building Safety Levy (Scotland) Bill. I refer members to my entry in the register of members' interests.

The committee's call for views on the bill was held between 26 June and 15 August 2025. We received 39 submissions, including those from the house-building, land and property sectors; local authorities; and taxation and law experts. The committee is grateful to those who took the time to share their views, and to our clerking team for their excellent work in advising members and producing our report.

We held three evidence sessions during October and November. Based on the evidence received, we made no recommendation in our stage 1 report on whether Parliament should support the general principles of the bill. We have asked the Scottish Government to respond favourably to our recommendations regarding the provisions and impacts of the bill in order to inform today's debate. I will therefore focus on some of the committee's key considerations and conclusions, together with the Scottish Government's response, which, of course, has changed even today.

In evidence, many witnesses told us that they oppose a building safety levy—particularly house builders and their representative bodies, who suggested that it would negatively affect Scotland's housing market. They highlighted significant impacts on rural development, small to medium-sized enterprises, the build-to-rent sector and their ability to build affordable homes. I am pleased that the minister has today gone some way towards addressing the concerns at least of SMEs.

Those who are supportive of the levy consider that it is a fiscal necessity for the remediation of cladding defects, as having a levy would be better than placing the full costs of remediation on affected home owners or paying for them through general taxation.

On balance, the committee was persuaded by evidence that the levy would have a macroeconomic effect on the Scottish housing market, although more data is needed to identify exact impacts. The committee recommended that the Scottish Government undertake a sensitivity analysis to assess in more detail the levy's potential impact on the housing market, particularly on rural sites and on small and medium-sized developers. We asked for the results of that analysis to be published in time to inform Government decisions on setting levy rates and, where applicable, any reliefs through secondary legislation.

We also sought an updated business regulatory impact assessment, alongside the subordinate legislation, to set out an explanation of how the Government has taken those findings into account. Although the Scottish Government has committed to providing an updated BRIA, it is unclear whether our recommendation to carry out a sensitivity analysis has been accepted. That was a key recommendation underpinning the committee's findings, and we urge the minister to clarify in his closing speech that that much-needed piece of work will be undertaken, as requested.

The bill would exempt from the levy all residential developments on Scotland's islands, and there is broad support for that measure. The committee also believes that there is a strong case to extend the exemption to remote rural areas, and we asked the Government to undertake work on developing an appropriate definition of and exemption for those remote rural areas. The Government now plans to extend the exemption to areas that currently receive 100 per cent relief on non-domestic rates.

Some witnesses also made the case for exempting the build-to-rent sector from the levy—a matter that the minister touched on earlier. Although committee members have concerns about the fragility of the build-to-rent sector, on balance we felt that such an exclusion would significantly limit the levy's tax base and agreed that the levy should apply to that sector.

The bill exempts any housing for which construction funding has been provided under the Scottish Government's affordable housing supply programme. The committee heard a mix of views regarding that exemption, with some witnesses arguing that removing affordable housing from the tax base places a disproportionate burden on private homes. Others, such as local authorities, suggest that the exemption does not go far enough and should be extended to cover all affordable housing developments, not just those that are funded through the Scottish Government's programme.

The committee asked the Scottish Government to consider, as part of the sensitivity analysis that we requested, the potential effect of the levy on the delivery of much-needed affordable housing across Scotland. It would be helpful if the minister could confirm in closing whether he accepts that recommendation, as his response on that has been, again, unclear.

The Government originally planned to introduce the levy from 1 April 2027, just over a year after the bill would pass if agreed to by Parliament. In evidence, there were concerns that that timeline would not provide house builders with sufficient time to properly prepare for the levy's implementation, particularly as key details such as

levy rates and transitional arrangements would be set out only in secondary legislation. In evidence, the minister announced that levy implementation would be deferred by one year, to 1 April 2028, and advised that indicative levy rates would be set out in June this year, as he touched on earlier today. The committee welcomes the decision to delay the levy's implementation and believes that the new timescale provides the housing industry with sufficient time to prepare for its introduction.

Section 13 of the bill requires the proceeds of the levy to be used

"for the purposes of improving the safety of persons in or about buildings in Scotland."

However, the Scottish ministers' current intention is for the levy to support the cladding remediation programme. We were told in evidence that building construction quality scandals have tended to occur every 10 to 15 years and that the broad wording in the bill could lead to a permanent levy that funds the remediation of any building safety issue that arises. Witnesses said that the consultation processes focused exclusively on cladding remediation rather than broader safety matters. Certainly, that should be the case.

The committee sees merit in those arguments and in recommendations that are aimed at ensuring that the levy does not continue indefinitely without proper checks and balances. The proposals should also provide much-needed reassurance to the industry that the levy will not become a permanent house-building tax.

Our recommendations include asking the Government to further consider adding a restriction to ensure that the bill pertains exclusively to cladding remediation, which I am pleased that the minister agreed to. A sunset clause should be added to the bill, which would provide an opportunity after 15 years to robustly review how the levy is operating and for Parliament to decide whether it should continue. Although the minister is not in favour of a sunset clause, he said that he will consider including a clear date for review by strengthening the bill's reporting provisions. We heard a few minutes ago that that date will be every three years.

The bill's financial memorandum suggests that the levy seeks to raise £30 million a year as one of the revenue streams for the Scottish cladding remediation programme. That is the amount in

"Barnett consequentials that the Scottish Government might have received had the UK Government England-only levy been extended to Scotland."

Evidence that the committee took suggests that that figure is optimistic, given uncertainties around the potential impacts of, and behaviours arising from, the levy. We asked that the figure be

reviewed once the sensitivity analysis that is recommended in our report has been carried out.

Concerns were expressed that the data set that the Government used to calculate the costs of cladding remediation is not as robust as it should be and that the financial data in the FM uses "estimates of estimates". The minister told us that the Scottish Government

"will not know the full scale of remediation that is required until all the assessments are done".—[*Official Report, Finance and Public Administration Committee*, 18 November 2025; c 53.]

The committee finds it concerning that more accurate cost estimates are not yet available. The Government's response commits it to reviewing that as part of wider work to consider impacts in relation to levy rate setting.

The Scottish Government's response is helpful in further informing this stage 1 debate. Nevertheless, the committee believes that introducing the levy carries significant risk and that policy design has not been sufficiently focused on developing a good, well-structured and sustainable levy. As previously mentioned, I urge the minister to clarify in his closing remarks his intentions regarding the sensitivity analysis that the committee has requested.

15:17

Liz Smith (Mid Scotland and Fife) (Con): Nobody could possibly doubt the far-reaching implications of the most appalling human tragedy at Grenfell tower in 2017, nor the importance of ensuring that nothing like that can ever happen again. In that spirit, I say to the minister that, irrespective of the bill, the Scottish Government has an obligation to answer the question that Mr Hoy and Mr Kerr posed to him about exactly how much of the £97.1 million has been spent, because we are not getting the true facts about that.

It is absolutely right that measures be put in place to improve building standards, especially so that the people who are engaged in the new-build sector fully recognise and adhere to their responsibilities. It is also right that there be a legislative process to secure that for the future. However, the question that we, as parliamentarians, face in this stage 1 debate is whether the bill is the right procedure. For Conservative members and, I suspect, several other colleagues across the parties, there are serious doubts, not because improving building standards is not the right thing to do but because the evidence that was taken at stage 1 points to several important failings in the bill.

John Mason: I agree with Liz Smith in that I am not wildly enthusiastic about the package, but

does she accept that Westminster has put us in a corner and we do not have a lot of room for manoeuvre?

Liz Smith: No, I do not entirely accept that. The bill is a specific, Scotland-centred bill and we, as Scottish parliamentarians, have to take a decision on its merits. That is the basis on which I am making these points.

Along with my colleagues on the Finance and Public Administration Committee, I listened very carefully to witnesses, who provided us with extensive written and oral evidence across three different evidence sessions before Christmas. As set out in the committee's report, there was unanimous concern—including from Mr Mason—about several key aspects of the bill and the negative externalities that are likely to result. As colleagues know, it is unusual for a committee not to fully endorse the general principles of a bill. However, on this occasion, it has not endorsed them, and for good reason.

As the convener said, the major issue is the likely impact on the housing market, which, as we all know, has already been facing significant challenges for quite some time. The most significant concern among witnesses and members of the committee was the fact that the bill could reduce house-building capacity, because it would make certain sites unviable and thereby have a detrimental effect on the ability to deliver much-needed affordable housing. Homes for Scotland estimated that the levy would probably add around £3,500 to the cost of building a new home, and Bancon Homes told us that it would have an impact of up to 20 per cent on its profit margins. Those are not inconsiderable fiscal effects.

Different but nonetheless related are the potential effects on rural Scotland, where depopulation is already a significant problem. I have heard the minister's concerns about some of the rurality issues, but several factors have already combined to create a very complex situation for rural housing. House prices are often high in relation to local incomes in rural areas, and there is a shortage of housing that is suitable for families, which means, sadly, that too many families choose to move away. The combination of that, the weak infrastructure that we find in rural areas in relation to accessibility of transport and the internet and the complexities in the planning process means that we encounter major challenges. Scottish Land & Estates told us that the cost of delivering rural housing could be almost double that of mainstream housing. That must be a serious concern. That is on top of a lot of the other issues that affect rural areas, such as the farm tax, national insurance charges and various other aspects of tourism and hospitality.

That whole combination is a very serious matter for the rural sector.

Although there appeared, in some quarters, to be an understanding of the problem, particularly in relation to the islands issue, part of it is that we do not have a clear definition of what rurality is, and there are accompanying inconsistencies. I hope that the minister means what he said today and in committee, which is that he is prepared to lodge some amendments.

There is likely to be a disproportionate effect on smaller developers, owing to the fact that they will inevitably find it more difficult to absorb the necessary costs. The Scottish Property Federation was extremely clear about that. There was also concern that the bill could have a detrimental impact on those who want to build over a long period of time, such as the build-to-rent sector, as the financial returns there take longer to be realised.

Much of the debate among stakeholders was about how to address the issue of the polluter-pays principle. They worry that those who have acted responsibly will end up footing the bill for the levy. I think that it is worse than that, because some responsible builders will go well beyond the basic safety regulations, and they are the ones who will have to pick up the tab, whereas those who have not been responsible can, to some extent, get away with it.

The committee is unanimously concerned, for very good reasons, about some of the macroeconomic effects of the bill. Once again, I think that the Parliament is faced with a Scottish Government bill that, although well intentioned, nonetheless has very significant problems. On that basis, the Conservatives cannot support it at stage 1.

15:24

Mark Griffin (Central Scotland) (Lab): It is no small thing for a committee to fail to support a bill at stage 1. It happens very rarely in this place, but in this case it is entirely justified. The Building Safety Levy (Scotland) Bill contains proposals that are, in my view and, it seems, in many others' view, disproportionate and vague and, most important, risk reducing the supply of new homes in Scotland, exacerbating the Government-declared housing emergency. For those reasons, Labour will not be supporting the bill at stage 1 today.

Ivan McKee: I would like some clarification from Mark Griffin. Is it the Labour Party's position that it does not support taking forward a levy in Scotland in the same way as its Government down south is taking one forward? If it is not in favour of taking forward a levy in Scotland, where does it propose

that we find the additional £360 million to £450 million that is needed to support the programme?

The Deputy Presiding Officer: Mark Griffin, I will give you the time back.

Mark Griffin: I challenge the assertion that the Scottish Government is taking forward a levy in the same way as the UK Government is. It is not the same policy. I was going to come on to this later in my speech, but I will say now that I support the principle of a levy. However, how this particular levy has been designed and applied, the vagueness, the uncertainty and the risk of exacerbating the housing emergency means that we cannot support it in the form in which the Government has presented it.

Everyone in the chamber agrees on the importance of removing potentially life-threatening cladding from our homes. Nearly a decade after Grenfell, families still live in fear of the next devastating fire that could cost lives and destroy homes. For many residents, that is a daily reality that affects their safety, mental wellbeing and financial security. We are united in our determination to prevent another tragedy.

However, although remediation has progressed elsewhere in the UK, Scotland continues to lag far behind, with a tiny number of homes having had dangerous cladding removed. It has taken the Government almost a decade to begin addressing the problem, while thousands of buildings in England and Wales have had dangerous cladding removed. That is an absolutely shocking dereliction of duty that has left too many people living in unacceptable conditions for far too long.

The problem is not only the pace of the Scottish Government's response but the quality of the proposals that are before the Parliament. The bill seeks to ensure that those who contributed to unsafe cladding also contribute to its removal. We support that aim. However, during committee scrutiny, the Government failed to provide the detail that was needed to support the evidence base for that approach or to demonstrate that it would operate fairly and effectively in practice. We still do not have clarity about how many buildings are affected, which organisations might be required to contribute, what the levy will fund or how long it will be in place. Instead, we have been given little more than a blind assurance that it probably will not harm house building. That is not good enough when we are talking about a bill that will introduce a levy that could fundamentally impact the housing sector in Scotland.

We accept that organisations profited from the installation of dangerous cladding and that they should bear the cost of putting matters right.

Ivan McKee: Mark Griffin says that there is no understanding of the impact on the market; I would

argue that there is. Will he explain what analysis of the impact on the market—different from what we have undertaken—has been undertaken by the UK Government? Our numbers are broadly similar to the numbers that it has.

Mark Griffin: That is a different housing market, and it is an area where the Government has not declared a housing emergency. Ivan McKee's Government has declared a housing emergency in Scotland. We are in a materially different place from the rest of the UK.

The committee could not get clarity from the Government and has asked for updated figures and a sensitivity analysis. Homes for Scotland wrote to the minister and the committee last night to challenge the Government's figures, saying that the figures that were used to calculate the value of the new-build housing market in Scotland were wildly inaccurate and overestimated by 44 per cent. Those are figures from industry experts, who I would listen to before I listened to the Government, which has sleepwalked into the housing emergency in which we find ourselves.

As I said, we accept the principle that organisations have profited from the installation of dangerous cladding, and it is right that they should bear the cost of putting it right. That is a question of fairness and restitution, and I think that it commands broad support across the Parliament. However, the bill does not deliver that in a clear or credible way. The polluter-pays principle is sound, but there is no guarantee through the bill that the polluter would actually pay. Many organisations involved in the installation of dangerous cladding are not covered by the bill; meanwhile, some companies that had no involvement at all will be liable for that burden. That is a disproportionate burden on the wrong businesses, which undermines confidence in the levy's fairness.

Analysis also suggests that the levy could add around £3,500 per home and would have a disproportionate impact in rural areas. The Government needs to address that.

We are not opposed to a mechanism that makes those who profited from unsafe cladding help to fix it. However, there is not enough evidence that the levy will achieve that aim. A levy without a clear evidence base or a coherent strategy is a bad levy. Therefore, we echo the committee's finding that significant further work is required, particularly in relation to the impact on the house-building industry in the context of the housing emergency. For those reasons, we will not support the bill today. If it passes at stage 1, we will seek substantial amendments, but we cannot vote for it in its current form.

15:30

Ariane Burgess (Highlands and Islands) (Green): I welcome the opportunity to contribute to the stage 1 debate on the Building Safety Levy (Scotland) Bill. I am aware of the issues, having been involved in parliamentary scrutiny in relation to cladding remediation, including the work that led to the Housing (Cladding Remediation) (Scotland) Act 2024, which, in turn, informed the bill that is before us.

Let me be clear at the outset: the Scottish Greens support the principles of a Scottish building safety levy—but it is cautious support. We recognise the moral and political imperative to address the cladding scandal and to ensure that the cost of putting right historical failures in building safety does not fall on the shoulders of residents who did nothing wrong. For years, countless people have been living in unsafe homes, surrounded by highly combustible materials, trapped in buildings that they know are dangerous but that they cannot afford to fix. The situation did not arise by accident: it is the product of a house-building system that has prioritised profitability over safety, enabled by a deregulation agenda that has consistently put corporate interests ahead of people's lives.

The starkest illustration of where that can lead is the Grenfell tower fire. At least 72 people lost their lives because cost-cutting decisions were made. A less safe, more combustible façade was chosen because it was cheaper. That must never be forgotten in our deliberations today. Across the UK, house builders and those involved in the construction process have put lives at risk for decades. We must learn from those failures. We must properly fund cladding remediation, bring an end to the emotional toll of waking watches and give residents the peace of mind that their homes are finally safe.

Those most responsible for the scandal must pay to fix the mess that they created. While house builders are part of the picture, they are not the only ones: contractors, architects, suppliers and others have also played a role. The stage 1 report reflects evidence from Miller Homes and Bancon Homes that made clear the fact that responsibility is shared.

Although I recognise the points that the minister made about the constraints of the bill, I would welcome clarity from the Scottish Government on how it intends to address the gap in Scots law that was partly closed in England by the *URS Corporation v BDW Trading* case, such that responsibility for historical building defects rests with those who caused them instead of falling to the public purse or to residents.

We also recognise that the levy, as it is currently designed, would benefit from further fine tuning and that there are legitimate concerns about targeting and fairness. In particular, as others have said, we must ensure that the levy does not undermine the viability of house building in remote and rural areas, such as the Highlands and Islands, or place disproportionate burdens on community-led and non-profit housing initiatives that were never part of the scandal.

It is good to hear the minister's comments that the Government will lodge amendments to ensure fairness and to remove the unintended impacts. I look forward to seeing other amendments that the Government has committed to lodging and to the sensitivity analysis that was recommended by the Finance and Public Administration Committee. It matters that we get this right.

Finally, I caution against binary thinking. Safety and viability should not be set up as opposing forces. It must be possible to build homes that are safe, affordable and viable while funding the urgent cladding remediation work that residents so desperately need.

In short, we cautiously support the bill at stage 1. We recognise the necessity of action, we acknowledge the concerns that stakeholders have raised and we will work constructively to improve the bill. However, I have far less sympathy for the profit-seeking opposition of the large and highly profitable house-building companies that would prefer the costs of their past decisions to be borne instead by residents or the public purse. The Parliament must choose to stand with residents, with safety and with justice.

The Deputy Presiding Officer (Annabelle Ewing): I call Willie Rennie to open on behalf of the Scottish Liberal Democrats. You have a generous six minutes, Mr Rennie.

15:35

Willie Rennie (North East Fife) (LD): The Government has put us in a hellish position today. Who on earth would want to vote against a building safety levy to deal with the many homes that are affected by the issue that arose from Grenfell and the thousands of people across Scotland who live a daily nightmare, wondering whether their building is safe? Who would want to vote against that? However, the circumstances that have led to the difficult decision that we all face today are of the Government's own making. The minister was unable to say how much money has been spent of the money that has been allocated to the issue through the Barnett formula.

John Mason: Will the member give way?

Willie Rennie: Not just now.

The minister knows the answer to that. He knows that a pitifully small amount of money has been spent on dealing with the issue. He knows that the Government has bungled the cladding remediation process from the very beginning by trying to do something better than the rest of the UK but ending up doing something much more complex and much slower. As a result of that, people are suffering every day. Given that the Government cannot even spend the money that it already has, why on earth are we asking the sector to pay more when it does not have any confidence in the process that the Government has established?

The single building assessment is supposed to be superior, but it is far inferior to what we had before. The Government introduced legislation on the leasehold-freehold arrangement in Scotland extremely late in the day. It knew that it had to address that at the beginning, and it could have done something about it years ago, but it has been sluggish to act. All of that gives us no confidence that the Government is capable of remediating the cladding on people's homes.

The second issue—which, again, is of the Government's own making—is that it has shattered the confidence of the housing sector over a number of years through utterly reckless policies. As a result, the capacity in the system is much reduced, along with the confidence of the sector. Adding another tax on top of all the other measures that the Government is bringing in will have practical consequences. There are so many people in my constituency who are desperate for a home but cannot get one. The danger is that the bill will make the situation worse, with the result that more people who desperately need a home will not get one.

Michelle Thomson: I have a lot of sympathy with what the member has said so far. However, I point out to him that the residential property developer tax is already in place in the rest of the UK. The Government must be able to reflect on the macroeconomic environment of the UK, which has been very poor. Surely that, too, has played into the operating environment for builders.

Willie Rennie: I have no doubt about that, but there are particular measures that have been taken in Scotland that have made the situation worse. Michelle Thomson knows that—she knows that some of the measures that the Government brought in and has now rescinded have had a massive impact on the confidence of the sector. The fact that it has been necessary to bring in exemptions from rent controls for build-to-rent properties is a clear indication that the Government knew that concern about rent controls was having an impact on investment in the sector.

First and foremost, I want investment, because I want homes to be built for the people I represent.

I also worry about the SME sector, which is facing particular costs at the moment. Construction costs are going through the roof, and there are skills shortages. All those issues have had a dramatic impact on the confidence of the sector, and the cumulative impact of a number of different measures is such that it is really difficult for us to decide how to vote. As I said, we face a hellish dilemma. The minister should be more frank about the situation that he has put us in. If, instead of hiding how little money has been spent on cladding and remediation, he was up front and honest with us about the mistakes that have been made, that might help us to persuade others that the remediation process will be managed properly at last, after years of failure.

The fact that, as has been said repeatedly, the committee could not bring itself to endorse the bill, although it has so many SNP members on it, is a clear indication of the bill's weaknesses. Its scope is so open-ended that it could cover more than the cladding issue. The fact that it could last for ever and be a permanent tax with no sunset clause is also of deep concern. It is also clear that, because of the nature of the sector in Scotland, with a higher proportion of social housing, the private sector will bear a greater burden of the tax than it would elsewhere in the United Kingdom.

We will not support the bill at this stage. That does not mean that we are against having some kind of levy at some point, but the Government needs to pause and reflect on the confidence in the sector and its management of the cladding remediation process. It does not mean that we will not support the bill later, if efforts are made to fix the issue and if significant amendments are made—particularly in reference to a sensitivity analysis, which we heard about in Kenny Gibson's contribution and which is particularly important.

The bill is weak because of the Government's policies and management over a number of years. I want to be able to give the people who live in the properties confidence that there is a plan and that it will be delivered, but I do not have that confidence just now, which is why we will not support the bill.

15:41

Michelle Thomson (Falkirk East) (SNP): I add my voice in support of those who were affected by Grenfell and its resultant impact. We cannot ever forget the people who are behind all our discussions today. I agree that it is a pity that the Scottish Government has been put in this position by the UK Government. In fairness to the UK

Government, it has consistently made clear that its preference was for a UK-wide scheme.

Today's debate is about the Finance and Public Administration Committee's stage 1 report, and I want to reflect on my views on why the committee arrived at some of the recommendations that it did.

The unanimous decision not to support the principles of the bill at stage 1 is highly unusual. Put simply, there is still too much detail to be fleshed out. Some might claim that industry simply does not want to pay more tax—I am sure that that is true—but that does not mean to say that the bill will not have an impact. The concerns that are being expressed can certainly not be soothed until industry has more detail.

It was therefore difficult to take a view on a principled basis, beyond accepting the principle that something must be done and that the something should be a tax to ameliorate cladding issues. However, the tax is not based on the polluter-pays principle. As our report says, there is

"a lack of detail provided in relation to the administrative systems and process, calculation method, and rates."

That is quite the list.

I would like to pick out a few areas for further examination, the first of which is the housing market. In my time here, I have been consistent in calling for house builders to be supported and for more money to be spent on house building, not just because we need more homes, which we do, but because of the multiplier effects in a boost to supply chains, improved local infrastructure and increased economic activity.

I agree with Homes for Scotland, which notes that, despite plans to exclude affordable housing, the current proposals do not reflect enough on how developments are structured. Most developers use private housing to subsidise affordable housing, so if the overall business model does not stack, there will be an impact on affordable housing. I fully support the committee's recommendation for a sensitivity analysis that can examine that and I seek guidance, in common with the convener, about whether that will be carried out by the Government.

There have been ample warnings that the additional cost of the tax could be passed on to purchasers. To be honest, it is slightly naive to consider that house builders will manage their margins by simply offering less for land. That is possible in some areas where the demand for land is low, but where the demand is high, it is just not likely.

Another concern is that the impacts will be felt mostly by our Scottish SME house builders, who play a vital role in getting housing to market, while

the bigger UK-wide companies can pick and choose as they see fit. The last thing that we need is an overreliance on those large UK-wide companies because of that.

I will further explore the polluter-pays principle. The committee is right to note in its report that the tax cannot be considered to be based on the polluter-pays principle and it is right to ask the Scottish Government to consider

"legal options that would enable housebuilders to seek contributions for remediation work from others in the sector."

I was surprised and, I must say, a little disappointed that the minister, in his response to the committee, did not fully address the issue of the Supreme Court interpreting English legislation, including the Building Safety Act 2022 and the Defective Premises Act 1972, neither of which applies in Scotland. Remedies for Scottish house builders rely entirely on the Prescription and Limitation (Scotland) Act 1973, which, although it has been amended, will not provide the same legal remedies as are found elsewhere in the UK, unless this Parliament legislates to amend it further. I wonder whether the minister will, in his closing remarks, give some thought to whether that will be considered.

Another concern that I raised during our evidence sessions was in connection with build to rent. I think that the Scottish Property Federation is right to note that the business model often operates on a phased cash-flow basis. A large site that is being developed for build to rent will be charged a one-off levy, whereas new housing estates will appear over several years, thus spreading out the tax. The issue is not as simple as amortising a liability over several years.

In his remarks, the minister did not refer to the letter that was sent yesterday by Homes for Scotland and has been mentioned by another speaker. That letter picks up on the fundamental point that the BRIA valued the new-build housing market at around £4.6 billion. Homes for Scotland thinks that that overstates the value by about £1.4 billion and therefore skews all the figures—I think that someone referred to estimates of estimates.

I have a final, brief point about transition planning, about which I think we also need more detail.

I will vote for the bill at stage 1, but I am looking forward to the considerable amount of work that is still to be done and I will play my part by lodging amendments at stage 2.

15:46

Meghan Gallacher (Central Scotland) (Con): Improving building safety is not optional. The

tragedy at Grenfell tower exposed catastrophic failures in regulation, oversight and accountability, and it is right that Governments should accept responsibility for ensuring that people are safe in their own homes.

However, good intentions do not give this Parliament or this Government a free pass. The duty before us as parliamentarians is not only to improve safety but to ensure that the policies that we introduce here are coherent and fair and do not cause further harm, particularly to vital sectors such as house building and construction, which we will need if we are to address a deepening housing emergency.

I do not for a second believe that anyone here doubts the importance of building safety. Of course it matters, but the real question is whether the levy, in its current form, would be the right mechanism to fund cladding remediation or whether it threatens to compound one failure with another. Homes for Scotland, the Scottish Property Federation and others have been absolutely clear in their evidence that the levy would not simply be absorbed by developers but would hit viability, could stall projects and could, in some cases, stop development entirely.

We have been here before. Willie Rennie referred to the problems caused by rent controls, and I fear that the exact same thing will happen again. At a time when supply is already lagging dangerously behind demand and when construction costs are soaring, private investment is fragile and confidence in the pipeline is weak, the levy, if it goes through as it is, will act as a further brake on the delivery of housing supply.

I therefore directly ask the minister whether we want to build fewer homes, deliver fewer affordable homes through planning obligations and support fewer jobs in the construction supply chain. That is the gamble that the Scottish Government is taking, and I believe that it is a reckless one.

John Mason: In reality, the levy model is very similar to the one that was introduced in the rest of the UK. Does the member accept my argument that it would have been better to share the costs far more widely—for example, by raising corporation tax?

Meghan Gallacher: We have had exchanges in the chamber up to this point, but the Scottish Government cannot tell us how much money it has already spent out of the £97.3 million for cladding remediation. We do not know what the levy is for or why people are paying into the fund, because we do not know how much money the Government has already spent on remediation. I would rather focus on that first and look at other alternatives thereafter.

I turn to what I consider to be the most damning aspect of the debate, which is the Scottish Government's handling of cladding remediation. It is now nearly eight and a half years since Grenfell and there is still no comprehensive, consistent or fully funded remediation plan in place. Instead, we have seen confusion, contradiction and chaos, and the only people who are paying the price are home owners.

I have brought with me today some letters that expose the failings of the Scottish Government quite starkly. A constituent contacted me when they had tried to sell their flat, only to be told by the Scottish Government cladding remediation directorate that issues that they had with cladding would render the property effectively unsaleable. In a letter from the Scottish Government dated October 2025, they were informed that funding would be dependent on the findings of a single building assessment and that some works that were identified could be deemed the home owners' responsibility, including those that were not considered a live fire safety risk.

That is where it gets interesting, because my constituent's neighbour in the same building had received a letter the year before, in November 2024, that stated something entirely different. That letter said that, where the developer could not be identified or was no longer operating, the Scottish Government would use public funds to undertake assessments and carry out works that were needed to eliminate or mitigate any risk to human life associated with the external wall cladding system.

Which is it? Those two neighbours in the same building had different outcomes and received two entirely different messages about liability, funding and responsibility. That is not a minor administrative error; it is a complete failure of governance by the SNP. I ask the minister why the Scottish Government changed the content of the letters that it sends out to home owners who are impacted. How many people have potentially been misled about the support that they should expect, given that their properties have been impacted by cladding?

Residents in general, not excluding my constituents, are still living in fear and anxiety because properties remain unsaleable and costs continue to be pushed on to home owners who did absolutely nothing wrong—and, even now, the Government cannot provide consistent answers to people whose lives have been put on hold. It is simply not credible for ministers to argue that developers today should be made to pay for historical regulatory failures, particularly when the Government has had almost a decade to act and has failed to do so.

I know that I am running out of time, Deputy Presiding Officer. Until ministers can demonstrate competence, consistency and fairness in how cladding remediation should be handled, they have no moral authority, in my view, to impose new levies that could further damage our housing market and supply. The approach is failing home owners, it is failing builders and it is failing Scotland, and until it is fixed, I will not play any part in it.

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

15:53

Clare Haughey (Rutherglen) (SNP): I know that colleagues across the chamber are united in our understanding and our resolve with regard to the reason for this bill being before Parliament today. The tragic series of events at Grenfell in 2017 must never be forgotten and must never be witnessed again.

In the years since then, the Scottish Government has been unwavering in its commitment to do what is necessary and right to fully assess and address the remediation of buildings across Scotland that are fitted with unsafe cladding.

Craig Hoy: Will the member take an intervention?

Clare Haughey: I must ask Mr Hoy to let me make a wee bit of progress.

I thank members of the Finance and Public Administration Committee for their careful and detailed consideration, which has brought us to this point today. The committee has had to consider a multitude of complex, interwoven and sometimes competing factors, and to do so in what remains a very challenging context, given the clear need to increase housing supply in light of Scotland's housing emergency and the on-going challenges facing the sector, which were exacerbated by Brexit, the pandemic and other UK-wide and global events affecting its bottom lines and supply chains.

It is important that we acknowledge the impact of the situation on many people's lives. It has been a stressful and concerning time for home owners and residents across Scotland who are living in buildings with potentially unsafe cladding.

I am sure that many of my colleagues will have heard about the difficulties that their constituents have been facing. In my Rutherglen constituency, I have been supporting constituents who have faced a variety of issues with their properties. I will give just a few examples. People have been seeking information and support about external wall system fire review forms—known as EWS1

forms—and single building assessments. Others have come to me with issues that they have experienced in communicating with their building's original developer or their factor. I have heard from landlords who are worried about the on-going affordability of maintaining their properties as insurance costs have spiralled and from tenants who are worried about the safety of their homes and the sustainability of their tenancies.

Other people have related issues with properties being unmortgageable, which causes problems if circumstances lead to their home having to be put up for sale, including in cases of probate. Some of my constituents have had to seek letters of comfort to move forward, because they have been caught in that period in which assessments have been completed but the work has not yet been scheduled or completed, and their life circumstances have meant that they have had to move on.

Based on current contact, and my contact with the previous housing minister and other bodies on behalf of my constituents, it has always been clear to me that the Scottish Government is committed to acting to protect home owners and residents, and it has been clear to me that the safety of residents and home owners is the ultimate and utmost priority of the Scottish Government, as it absolutely must be.

However, I completely understand and appreciate the frustrations that have been expressed to me about how long people have been living with stress, worry and uncertainty surrounding the issue. There is a clear need for legislation so that we can do what is right and necessary to address the challenge of fixing buildings that are affected by unsafe cladding.

The cost of cladding remediation has, completely understandably, always been a cause of concern for the residents who have been in touch with me, so it is imperative that we put in place funding arrangements that ensure that those costs do not fall directly on affected home owners—and, indeed, are not passed on indirectly to their tenants, if applicable. The costs of remediation are considerable, with the latest estimates indicating that we could be looking at a cost of £1.7 billion over a 15-year period.

Craig Hoy: Does the member agree that the sector and the Parliament could have more confidence in the Government as it introduces the bill if it could tell us how much of the £97.1 million it has already spent, how it has been spent and how it will work towards what we all want—to make Scotland's housing stock safe?

Clare Haughey: Craig Hoy has raised an important point. As I have mentioned, some remediation has taken place in my constituency,

but at this point in time, for the people who are affected, we have to move forward, get remediation and make those homes safe.

The scale of the challenge is significant, and so is the progress that has been made so far through the collective efforts of developers, local authorities, social landlords and Government. Colleagues will have received correspondence and briefings from stakeholders, including developers, over the past weeks and months.

The continued co-operation of developers, who have accepted responsibility for the assessment of their buildings and any required mitigation and remediation, has been very welcome. They share our determination to keep people safe, and the levy outlined in the general principles of the bill will ensure that they make a fair contribution towards doing so, just as they will in England.

As the bill has been developed, it has been crucial to remain mindful of the need for new housing in Scotland, the importance of avoiding any unintended or disproportionate impacts on the new-housing sector and the viability of much-needed new developments. With the addition of exemptions for areas where there are more acute housing pressures and the levy-free allowance to protect small and medium-sized developers, I am pleased that the Scottish Government has reached a point at which it shares the UK Government's assessment of its equivalent legislation—that the levy is not expected to have any significant macroeconomic impacts and that any negative impacts on the housing supply will be small.

Today, we are being asked to agree to the general principles of the bill at stage 1, and there will naturally be further discussions, refinements and amendments as it continues to move through Parliament. I am sure that the cabinet secretary will listen very carefully to the points that members make today.

I am pleased to support the general principles of the bill today. I look forward to its further development and the reassurance and peace of mind that it will provide to my constituents and to everyone else who has been affected by this issue.

16:00

Richard Leonard (Central Scotland) (Lab): What this debate is about is not simply taxation. It is not simply about the role of the state and of public finance. It is about how we value human life, public health and community safety.

It is about taking action so that never again do we witness the iniquitous, the catastrophic, the tragic events of 14 June 2017, which claimed the

lives of 72 people at Grenfell tower. It is also about learning the lessons and heeding the findings from the public inquiry that followed, which concluded that there was “systematic dishonesty”, with its roots in a culture of deregulation and profiteering.

Which is why I have some sympathy with those who say that those directly responsible for unsafe cladding should meet the costs of cladding remediation, and that, under this proposal, the scrupulous are having to pay for the unscrupulous. Rather than house builders having to pay and, in turn, house buyers, for the Institute of Chartered Accountants of Scotland warns that

“house buyers will ultimately fund the levy upon purchasing a property”—

and I might add renters, because the costs will be passed on to tenants, too—what about those involved in the supply chain? What about those who researched, developed and tested this cladding? What about those who manufactured it? Those who fitted it? Are they not liable? And what about the property speculators, the venture capitalists, the pension and insurance fund asset managers, who have made millions out of these buildings? Are they not liable?

But there is something else for the Government to answer for. On 17 December, at this Parliament's Public Audit Committee, the Auditor General gave evidence on the Scottish Government's consolidated accounts, in which it was revealed that one of the outstanding areas of this Government's underspend was cladding remediation. Last year, £35 million was budgeted for cladding remediation, but, scandalously, only £6 million was spent.

The Government has got expert advisory groups, ministerial working groups, cladding programme stakeholder groups—there is even a Scottish Government cladding remediation directorate. But, by quarter 2 of 2025—eight years after Grenfell—while in England nearly 2,500 cladding remediation projects had either started or been completed, in Scotland only three single building assessments had taken place.

Residents tell me of factors hiking up fees, of insurers hiking up premiums, of structural engineers and of single building assessments taking years. They tell me of work still to be put out to tender and of—and I quote—

“utter frustration ... while the government drags this out”.

And then the minister comes along to the Finance and Public Administration Committee to announce that the levy we are being asked to begin to legislate for today—originally to be introduced from April 2027—will not now come into force until 2028.

Meanwhile, we have people, including children, the elderly, the infirm, the frail, the disabled—those who were disproportionately among the fatalities at Grenfell tower—going to bed every night in tower blocks across Scotland that are demonstrably unsafe and are a fire risk. And they are being met with silence and with inaction. They are missing, ignored, shut out, nowhere to be seen on these Scottish Government advisory bodies. If ever there was an emergency crying out for political leadership, this is it.

And do not tell us, and do not tell those residents, that it is too complicated. A duty of care is not a legal complication—it is a moral obligation. Even the minister's own expert advisory group on the levy, in sheer frustration, opines that we do not yet know how many units the levy will be charged on, how long the levy will run for, what the full cost of cladding remediation work will be or even who will be paying it.

Let me finish with the words of Peter Drummond, from the Royal Incorporation of Architects in Scotland. In his evidence to Parliament on this levy, he said:

"Only one thing will drive change, and that is regulatory pressure ... Regulation is what protects the public. There is not a building regulation in this country that is not written with the blood and tears of people who lived in substandard buildings."—[*Official Report, Finance and Public Administration Committee*, 7 October 2025; c 28.]

I reflect on what has happened in my lifetime—the blood and the tears of the victims and their relatives of Ronan Point in the 60s, of Summerland in the 70s, of Garnock Court in the 90s, of Grenfell tower in 2017 and of Le Constellation in Switzerland just last week. Those tragedies and those histories teach us that Peter Drummond is right.

So, we will need to act, and the Government will need to act, with a much greater sense of urgency, with a much greater sense of transparency, with a much greater sense of social and moral purpose. The Government will need to act, and it must back that up with active investment to make building safety and lives—not a building safety levy—a matter of political priority.

The money is there. Stop delaying it. Get on with the job.

16:06

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I am happy to speak in support of the Building Safety Levy (Scotland) Bill. I do so in recognition of the Scottish Government's clear commitment to addressing the legacy of unsafe cladding—a legacy that it has, of course, inherited. I also frame my remarks in the context of recognising, as Mr Leonard has just laid out, the

absolute necessity of ensuring that people are safe in their homes. That is an important starting principle.

At its heart, the bill is about fairness and responsibility. It is about ensuring that the costs of remediating serious building defects do not fall solely on home owners who had no role in the design, materials or construction of their buildings. That is an important principle, and it is the right starting point for the bill.

Liz Smith: I want to ask Jamie Hepburn about the content of Mr Leonard's excellent speech. Mr Leonard set out the evidence that has been provided by the Auditor General for Scotland about the extent of the underspend. Does Mr Hepburn agree that that money would be much better spent in addressing these problems to sort this urgent issue?

Jamie Hepburn: Of course that money should be spent on doing that. I heard the minister very clearly say that the commitment is to spend that money on doing just that.

Stephen Kerr: When?

Jamie Hepburn: Of course we want to do it as soon as possible, but the commitment is—it was a very clear commitment from the minister; I was certainly listening, but I do not know whether other members were—that that money will be spent. We know that the amount of money that has been passed on as a result of the UK Government investment does not even touch the surface of the overall cost. The scale of the challenge that we face is substantial.

Mr Leonard is shaking his head, but the minister's response to the Finance and Public Administration Committee's stage 1 report was very clear. The current estimates show that Scotland's cladding remediation programme could cost in excess of £1.7 billion over a 15-year period. That represents, by any reasonable measure—I presume that we are all reasonable people in this place—a significant national undertaking that could not reasonably be met through the public purse alone, not least in the context of the point that I have just made, which is that the funding that has been provided by the UK Government is not anything close to £1.7 billion.

Notwithstanding that, I go back to the point that the minister has been clear that all that money will be spent to that purpose.

Michael Marra (North East Scotland) (Lab): Of the £97 million that has been allocated, last year's quarter 3 report on the cladding remediation programme noted that a total of £14.2 million has been spent—that is the figure that has been asked for today. The rest of that money is available. Does the member recognise that the rate-limiting

step—the thing that is holding us back—is not the immediate availability of capital to do the work but the will of the Government to get it spent?

Jamie Hepburn: I have made the point and I will make it again: I heard clearly from the minister that the money will be spent. Mr Marra makes the point that I am trying to make, which is that, even in the context of the £97 million that we have been allocated, it does not come close to meeting the entirety of the challenge that we face. Therein lies why I think that the building safety levy is necessary.

Mr Leonard was quite right to say, and I agree with him, that the debate is not just about taxation or the balance of the role between the private and public sectors. I hope that he would accept that it is also a debate about those things; they are part of the equation. The bill—I think reasonably—seeks to introduce a targeted levy for certain new residential developments that is broadly aligned with the existing levy arrangements that are already in place in England, as Mr Mason and others pointed out. The levy intends to raise around £30 million per year. In the context of the scale of the challenge that I have just spoken about, that will not solve the problem on its own. It will make a modest, but meaningful, contribution to the funding that is available, particularly in cases where no responsible developer can be identified or held to account. I think that those developers should be held to account not only in financial terms; they should also be held to a higher standard, as Mr Leonard describes.

I believe that developers have an important role to play in what should be a collective effort. We should also reflect that many in the sector have come forward to take responsibility for assessing and remediating buildings or are involved in delivering that, which is as it should be. That co-operation is both welcome and necessary, and we should recognise it. The levy seeks to build on the shared understanding that building safety is a collective responsibility. It ensures that the development sector will make what I believe is a fair and proportionate contribution that is consistent with expectations elsewhere in the UK.

That is not to say that I do not think that the bill deserves further scrutiny or changes. The Finance and Public Administration Committee's stage 1 scrutiny rightly focused on whether the levy strikes the right balance between improving building safety and supporting the delivery of new housing, which we all agree is of the utmost importance. Getting the balance right will be crucial. Scotland faces significant housing pressures and we have to be careful not to undermine development viability, particularly in marginal markets. The bill reflects that careful consideration but, of course, it can be refined further.

Let us reflect on the fact that protections are in place for affordable housing and recognise the importance of sustained delivery in the sector. The Government has committed to a levy-free allowance for small and medium-sized developers, which are less able to absorb additional costs. It has also provided exemptions for development on our islands, acknowledging the distinct housing challenges and viability constraints that they face. The minister's response to the committee's report responded directly to an issue that the committee had raised and gave a commitment to use secondary legislation to initiate similar exemptions to those in our island communities for the most remote parts of the mainland.

Presiding Officer, you said that there was some leeway. Does that leeway still exist?

The Deputy Presiding Officer: There is leeway, but I presume that one would not want to take over all the extra time.

Jamie Hepburn: I assure the Parliament that I will not use all the extra time that we have. I will crack on.

Taken together, the measures that have been laid out in the bill are designed to target the levy where it can most reasonably be borne, while limiting the impact where pressures are most acute. We should remind ourselves that the £30 million that it is estimated the levy would raise per annum represents approximately 0.6 per cent of the estimated £4.6 billion annual value of Scotland's new build housing market. By any reasonable assessment, that is a proportionate and modest contribution in pursuit of what we would all recognise as a vital public good.

We have all reflected on the tragedy at Grenfell tower. We have had the Government's response to the Grenfell tower inquiry phase 2 report, and it has accepted all 58 recommendations. The challenge is that we do not ever want to see a situation like Grenfell, or all the other circumstances that Mr Leonard talked about, be repeated in the future.

The Deputy Presiding Officer: Mr Hepburn, you will now need to conclude.

Jamie Hepburn: That requires us to act. We cannot stand aside. Those who say that the bill needs to be further refined can get on with that, but they cannot vote against it today if they are committing to doing that going forward. We should support the bill at stage 1.

16:15

Alexander Stewart (Mid Scotland and Fife) (Con): I am pleased to be able to contribute to the stage 1 debate. As a Parliament, it is right that we consider further measures to tackle dangerous

cladding, but the bill before us today creates too many risks for the sector and for house builders at a time when construction is already too slow across Scotland.

All residents deserve to see urgent action on dangerous cladding, to deliver certainty and peace of mind, but for far too long, the public have seen delay and dither from the Scottish Government. Progress on tackling the issue has been slow, despite the SNP receiving funding through Barnett consequential to address dangerous cladding. There has been some discussion this afternoon about where that money is, how much has been spent and how much is left, but we have not had complete answers on any of that.

We know that few buildings have been assessed for dangerous cladding, and a fifth of the programme's spending has been on temporary fixes. However, although further progress is clearly needed on the issue, we also know that Scotland is facing a housing emergency crisis.

Social housing completions are at their lowest level since 2017, and private sector completions are at their lowest level since 2018. Although recent house-building statistics have been disappointing, the bill risks making the housing emergency even worse. We should not be considering a bill that could create an even worse housing situation. Not for the first time in this parliamentary session, the SNP Government is introducing primary legislation that would add costs and barriers for developers across Scotland. That is not something that we should be considering.

Homes for Scotland has said that the levy does not reflect the sensitivities of the Scottish housing market, and that it could increase the cost of a new home by up to £3,500. It also warned that, despite affordable housing being exempt from the proposed levy, it will

"not be protected in practice due to interconnectedness between private and social sectors".

Indeed, numerous stakeholders have warned that a reduction in new housing supply will be likely if the legislation goes forward. Those are risks that we do not want to see.

The bill's business and regulatory impact assessment made it clear that many stakeholders could not provide a "clear picture" of the costs that the bill would create for them. The BRIA also said that there was "limited evidence" of the potential impacts.

More generally, there are concerns about the lack of data and about how effective the levy would be in improving cladding remediation. We have heard about that already today. Even if the levy raises the £30 million that has been talked

about, which is far from certain, that would cover only a small fraction of the total costs.

Despite the issue having been on the Government's radar for years, the SNP still does not know what the total cost of cladding remediation is likely to be. We are years down the road. The committee heard evidence that the financial memorandum uses "estimates of estimates". Once again, we still do not have clarity on the actual funding package and its full impact.

Ivan McKee: The member talks about uncertainty on the costs. Does he know what construction inflation is likely to be over the next 12 to 15 years? Does he think that anybody knows?

Alexander Stewart: Minister, you should be looking at where we are now, before considering what will happen in the future. You have not even managed to do what you should be doing for today, far less what you need to do for the future.

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

Alexander Stewart: We do not need a crystal ball; we need something done to make sure that people are safe and secure today, never mind in the future.

It is welcome that the bill includes an exemption for island developments, because island developers face specific challenges. However, given that many of those challenges also apply to rural areas, it is disappointing that the bill does not contain the same exemptions for them. Scottish Land & Estates has warned that, in its current form, the levy risks increasing the economic decline and depopulation of rural Scotland, which, once again, is not something that we should even be considering. It also highlights that the levy could undermine investor confidence in a "fragile" sector of the housing market.

Homes for Scotland has warned that the levy could mean that more potential rural housing sites become uneconomical, which would lead to higher-margin sites in urban areas being developed instead. Once again, we should not be doing things that could affect our rural economy in ways that detract from what rural areas are trying to do; we should be supporting them.

The minister has said that the inclusion of further exemptions in the bill would mean more of the levy's impact falling on other areas. However, I would urge the minister to consider the damage that not having an exemption could have on rural development. I believe that the committee's recommendation of providing an exemption for "remote rural areas" would be helpful as a starting point.

The last thing that Scotland's housing sector needs is another SNP tax. The Scottish Government says that it accepts the urgency of Scotland's housing emergency, but current house-building rates are already well below where we need to see them. The levy would risk making the emergency even worse, by hammering investment and house building. That means that the Scottish Conservatives cannot support the bill at stage 1.

All parties in the chamber agree that the existence of dangerous cladding needs to be addressed, but that does not need to happen at the expense of tackling the housing emergency. Instead of inventing another unnecessary tax, the SNP Government should be delivering the required action on cladding that it has been promising for years and ensuring that residents and developers get exactly what they want. Otherwise, the Government is failing to deliver, failing in its responsibilities and failing on the committee's recommendations. For all of those reasons, I will not be supporting the bill at stage 1.

16:21

Fulton MacGregor (Coatbridge and Chryston) (SNP): I am pleased to speak in support of the general principles of the Building Safety Levy (Scotland) Bill and to place on record my backing for the Scottish Government's clear reminder today that building safety is a fundamental tenet of construction policy.

I am not a member of the committee that has looked at the bill, but I can hear that there is a bit of a debate about it. Looking over the stage 1 report in preparation for today's debate and hearing what has been said in the chamber, I have been a bit surprised that there is conflict, although I hear the various points of view coming through.

I believe that the bill is about doing what is right and necessary. It is about ensuring that people can feel safe in their homes, whether they live in a high-rise block in one of our cities or in a flatted development. It is about making sure that the costs of fixing historical failures in our building system do not fall on the shoulders of home owners who bear no responsibility for those failures. The Scottish Government has been clear from the outset that residents should not pay the price for unsafe cladding. That principle underpins the cladding remediation programme, and it underpins the bill.

The building safety levy is designed to ensure that developers make a fair and proportionate contribution to the cost of remediation, in line with equivalent arrangements that are already in place in England.

We should remind ourselves why the legislation is necessary. The Grenfell tower fire, which has

been mentioned already, was a national tragedy that exposed systemic failures in building safety, regulation and accountability. In response, the Scottish Government has accepted all 58 recommendations of the Grenfell inquiry phase 2 report, and it is taking forward a comprehensive programme of reform, including strengthened building standards, improved enforcement and clearer lines of responsibility.

However, simply making policy changes does not remove dangerous cladding from buildings; that requires sustained investment over many years. The latest estimates suggest that Scotland's cladding remediation programme could cost as much as £1.7 billion over a 15-year period. Against that backdrop, the building safety levy is expected to raise around £30 million per year, which will be a positive contribution to the funding that is available annually for cladding remediation.

The levy is targeted. It applies to the construction of certain new residential properties and is calculated on the basis of floor area, with the precise rate to be set by regulations. Importantly, it is not a blunt instrument. The bill contains a levy-free allowance to protect small and medium-sized developers, exemptions for affordable housing and additional protections for island communities, where housing pressures are especially acute.

Those design features matter. Throughout the development of the bill, the Scottish Government has been mindful of the urgent need to increase housing supply. In communities such as mine in Coatbridge and Chryston, demand for good-quality, affordable homes remains strong. Regeneration projects, brownfield redevelopment and new housing sites all play a role in supporting local jobs and meeting local need. It is therefore right that the levy has been structured to minimise any negative impact on housing delivery.

The Government's assessment, which mirrors that of the UK Government, is that the levy will not have a significant macroeconomic impact and that any effect on housing supply will be small. At £30 million per year, the levy represents around 0.6 per cent of the value of Scotland's new-build housing market. It is a modest contribution when set against the scale of the challenge that we face and the benefits of safer homes for thousands of residents.

The bill also reflects a sense of fairness. It is to be welcomed that, where developers are responsible for buildings with unsafe cladding, many have stepped forward to accept responsibility for assessments, mitigation and remediation. However, there remain buildings with no linked developer or for which the original developer no longer exists. Without the levy, the cost of making those buildings safe would fall on

the public purse alone or, worse, on individual home owners. That is simply not acceptable. In Coatbridge and Chryston, and across Scotland, residents in flatted developments should not be left facing uncertainty, anxiety or unaffordable bills because of historical failures in construction and regulation. The bill helps to ensure that the burden is shared more fairly across the sector that profited from house building during the period when unsafe materials were used.

In my constituency in recent times, there have been fires in high-rise flats. A couple of years ago, there was a fire in High Coats at a block of flats that North Lanarkshire Council has now brought down. More recently, just before Christmas, there was another fire in Calder Court in Whifflet. Although that does not seem to be directly related to cladding, the fire caused immeasurable turmoil to a number of residents in the block, who have been supported by the council, me and my office. They were forced to access hotels and have their homes cleaned up—all before the festive period.

As Richard Leonard pointed out, those are real issues, and they happen all the time. Although I appreciate that there is a bit of a debate about whether the bill addresses them, for me, supporting it is the right thing to do to help people who are in such situations, such as my constituents.

The revenue that will be raised through the levy will be used exclusively for building safety expenditure. That includes cladding remediation, which the Scottish Government has committed to delivering at pace. By 2029, every high-risk residential building over 18m is to be resolved, with buildings between 11m and 18m placed on a clear pathway to resolution. That is an ambitious target, but it is one that residents rightly expect us to meet. Progress is being made, as we heard.

I note that the Finance and Public Administration Committee made no recommendation on the general principles of the bill but expressed trust that the Scottish Government would respond constructively to its recommendations. I hope that—and, hearing the debate, I am confident that—the Government will continue to engage positively with the Parliament as the bill progresses and that there will be opportunities at later stages to refine and strengthen it where appropriate. Where members from Opposition parties as well as the Government party have made suggestions—such as we heard from Michelle Thomson earlier—I hope that there will be opportunities for the bill to be improved if we agree to its general principles today.

The bill is about learning the lessons of the past and acting responsibly in the present. It is about ensuring that people in my constituency and in communities across North Lanarkshire and

throughout Scotland can have confidence in the safety of their homes. It is also about striking a fair balance between supporting housing delivery and securing the funding that is needed to address one of the most serious building safety challenges of our time.

For those reasons, I support the general principles of the Building Safety Levy (Scotland) Bill and urge colleagues around the chamber to do the same.

16:28

John Mason (Glasgow Shettleston) (Ind): The Government states that the cost of the cladding remediation programme is expected to be somewhere between £1.7 billion and £3.1 billion, which is quite a range of possibilities. If £450 million is to be raised over 15 years, which is optimistic, that is only between 15 and 26 per cent of the costs. It would be better to take the whole of that from general taxation.

I accept the point that the process has taken far too long, but it would have been irresponsible to spend the £97 million too quickly. It should be spread over all the buildings that need help and it would have been wrong of the Government to spend it on the first two or three that came along.

With the bill, Westminster has painted the Scottish Government and Parliament into something of a corner. As the minister said in evidence—*[Interruption.]* As the minister said in evidence, the order in council that devolved the relevant powers to Scotland is narrowly focused on the building standards process.

The Finance and Public Administration Committee heard strong arguments from witnesses that it was unfair to single out developers for the levy when many other businesses had been involved in the cladding problem, including manufacturers of the cladding materials—

Willie Rennie: Will the member take an intervention?

John Mason: No. I am sorry, but Willie Rennie did not give way to me when I was trying to make a fair point.

Stephen Kerr: That is not like you.

John Mason: No, it is not like me.

Others involved in the cladding problem included architects and local authorities that signed off building warrants. I personally felt that spreading the costs more widely, for example by an increase in corporation tax, might have been fairer. However, clearly, that is outwith the powers of the Scottish Parliament. That there is opposition to the levy from affected developers is clear.

However, we have to remember that almost all businesses oppose almost all taxes, and so we should take some of those objections with a pinch of salt.

I welcome a number of features in the bill, including that there can be different rates for different types of land. I would very much agree with any support that we can give to brownfield developments, rather than losing even more ground space, for example around Glasgow. I therefore welcome the assurance that the minister gave the committee that there will be relief for brownfield sites. I also welcome the fact that Revenue Scotland will collect and administer the tax, and that the liability will arise at a later stage compared with England, which will help developers with their cash flow. I agree that not automatically exempting smaller sites is correct, as they could involve high-end properties.

Meghan Gallacher: John Mason is talking about exemptions. We have been here before with rent controls. As soon as we start adding exemptions, would it not be more sensible and practical to realise that what we are bringing forward is just not right and that we need to go back to the drawing board?

John Mason: I do not understand that point. Every tax has exemptions. Every measure that we take has exemptions. There will always be special cases and exemptions.

However, in relation to housing funded by local authorities, if we push up the costs of building affordable housing, it ends up being the public purse that has to pay out more grant. Therefore, I welcome the Government's response to the committee's report, in which it stated that it wants to

"avoid any circularity in public funding".

I very much support the fact that the Scottish Government is using primary legislation rather than the secondary legislation approach that has been taken in England. Other features that are probably acceptable include that the scope of the expenditure covers building safety risks more generally, rather than purely the current cladding issue. The uncertainty over the costs—estimated at £1.7 billion to £3.1 billion—is probably acceptable as well.

However, there are other provisions that I have reservations about, including home owners not having to pay anything. That seems at odds with other products or services that we all buy, whereby the purchaser takes on at least some of the risk under the principle of caveat emptor.

I also question the exclusion of hotels. After all, people who stay in hotels tend to be better off, and a few more pounds on their bill would not hurt

them. I accept that there may be relatively few large new hotels being built, but every little helps. Therefore, I am not convinced by the Government's response to the committee's recommendation in paragraph 112. It says that commercial entities such as hotels are not intended to be covered by the cladding remediation programme. However, the reality is that there is very little link between those paying the levy and those with the cladding problems, so I do not think that that argument holds water.

I also question the use of floor space rather than value. Someone buying a very expensive detached house in a smart area will pay the same as someone paying for a bottom-of-the-range mid-terrace property or flat in a poorer area, because the properties are the same size. I accept that floor space is easier to measure, but I think that that approach is less fair and makes the tax somewhat regressive. Therefore, I am very much in agreement with the committee's recommendation in paragraph 83 that the Government should consider using market value rather than floor space. I note the Government's response on Tuesday 6 January, arguing against that. There might be complications, but I think that they can be overcome. The Government reckons that the levy will not be added on to house prices. However, like others, I am sceptical about that.

Whether Revenue Scotland can keep to its usual target of keeping administration costs under 1 per cent also has to be questioned. We know that the set-up costs will be greater, but the levy will be a very small tax in the scheme of things and is therefore potentially inefficient and costly. The recent Government response suggests a 2.7 per cent admin cost. That problem is exacerbated by the uncertainty as to how much tax will be collected, as figures appear to be based on the English model, where there is a very different mix of private and affordable housing.

I remain somewhat unclear whether the Scottish Government intends to match the UK levy rate, as it does with landfill tax and aggregates tax, or whether there would be a higher rate in Scotland if the tax base here turned out to be lower and the £30 million target proved difficult to achieve.

It is interesting to note how often the Government's response to the committee refers to our system being just like England's. That is not a normal response for an SNP Scottish Government to make, and it illustrates a key problem with the bill and the levy, which is that the room for manoeuvre that is allowed to us by Westminster is very limited.

I do not particularly like the situation that we find ourselves in. However, the responsible thing to do is to support the bill at stage 1 and, perhaps, to improve it later.

16:35

Michael Marra (North East Scotland) (Lab): I thank all members for their speeches in what I think has been a very well-informed debate, which comes down to the following points. Does the performance of the SNP Government on cladding remediation need to improve vastly and urgently? Undoubtedly—I think that there is consensus on that. Will more finance be required to complete the work? Certainly—that is absolutely clear. Is the immediate availability of capital the reason for the SNP Government's dire performance? Absolutely not.

As my friend Richard Leonard set out in what was a typically passionate and characteristically erudite speech, the situation is, frankly, intolerable. On 4 September 2024, John Swinney said:

“Keeping residents and home owners safe is our priority, and we are taking action to protect lives by ensuring that the assessment and remediation of buildings with potentially unsafe cladding is carried out.”—[*Official Report*, 4 September 2024; c 26.]

At that point—seven years on from the Grenfell disaster, in which 72 of our fellow citizens perished—remediation had been completed on precisely zero buildings in Scotland. Today, nearly a decade after Grenfell, that figure still stands—remediation has not been completed on a single building in Scotland. That is nothing short of shameful, and it betrays the well-meaning words of John Swinney, Nicola Sturgeon and any other SNP minister who opines or has opined on that basis.

By contrast, in England, work on 1,938 buildings had been completed by November 2025. That difference is scarcely believable, and it begs the question that the Scottish Government should be reflecting on its performance in this policy area in the round. It should do that urgently.

The reason why work has not been completed on a single building is not that we do not have a building safety levy. We should all be able to agree on that. The Scottish Government has failed to spend even a fraction of the nearly £100 million that was provided by the UK Government for the purposes of cladding remediation. As I set out in my intervention on Jamie Hepburn's speech, by 30 September 2025, £14.2 million of that £97 million had been spent. Not only must the SNP Government explain why it has taken so long to act—leaving the people of Scotland at risk of fire and death in their own homes—but it must urgently change direction.

Willie Rennie set out some of the issues that are holding back progress in the construct of the law as it governs this area of housing in Scotland. Those are the areas that must be looked at, and an additional tax on house building will not change any of those reasons.

Critically, the bill comes at the worst possible time, because Scotland is still in the grip of the SNP's housing emergency. That was acknowledged by the Government nearly two years ago, but precious little has been done about it since then. There are major social consequences to that side of the equation, too, which we would all recognise. More than 10,000 children are stuck in temporary accommodation, house building rates are at record lows and it is estimated that the levy will add an additional £3,500 to the cost of building a new home.

In evidence to the Finance and Public Administration Committee, house builders were clear that the bill will render many developments across Scotland non-viable. I fear that anything outside of Edinburgh and the Lothians will be at risk, which is part of the reason why we called for the sensitivity analysis.

Stuart McMillan (Greenock and Inverclyde) (SNP): In Inverclyde, scant little social housing has been built over the past two years; the housing associations have refused to build new housing because there is excess stock. How does Michael Marra suggest that the Scottish Government force housing associations to go and build when they do not want to build?

Michael Marra: It is certainly a complex situation. I do not know the specifics of the Inverclyde housing associations. However, from my area, I know that the vast cut that the Government made to the affordable housing budget as part of an emergency budget resulted in a lack of availability of capital, meaning that housing associations in Dundee and Angus had to change their plans. That was one of the issues.

Stuart McMillan rose—

Michael Marra: I would allow Stuart McMillan to come back in, but I am afraid that I must make some progress.

The Presiding Officer (Alison Johnstone): You do have some time.

Michael Marra: There are different circumstances in different areas. We know that affordability is absolutely key and we must make sure that there is a proper sensitivity analysis. I ask the minister whether, in his closing speech, he would commit to making sure that it is an independent analysis that is done properly and that takes account of the regional variability across Scotland. Doing that would speak to Stuart McMillan's concern that he wants to see that nuanced and varied analysis across the country so that we can understand properly what would happen if the SNP were to decide to progress with the bill.

Michelle Thomson told us that it was a highly unusual step for the Finance and Public Administration Committee to make no recommendation on the general principles of the bill. That gives a clear indication of the serious misgivings that the committee had about the viability of the levy in its current form. I am deeply concerned about the potential impact on the housing market, which is fragile at the moment.

In the—frankly—shambolic denouement of this parliamentary session, we have 24 bills left to process in 11 weeks. I suggest to the Government that it may wish to reflect on whether this is one bill that could be set aside. In the light of the report from the Finance and Public Administration Committee and the views that have been shared, not only from the sector but across the Parliament, the Government might reflect on whether there is a better way to get on with spending the money that it has to deal with the cladding situation. Then, when it has to raise that money and put those plans in place, it can come back with a better proposal—one that is well founded, well rounded and consulted on, that is developed and that can meet the challenge, so that we can deal with cladding remediation appropriately.

The Presiding Officer: We have a little extra time remaining. I call Craig Hoy.

16:41

Craig Hoy (South Scotland) (Con): I agree with Willie Rennie—[*Interruption.*] I cannot find my card.

Liz Smith: That is the extra time gone. [*Laughter.*]

The Presiding Officer: We will give Mr Hoy a moment.

Craig Hoy: I apologise, Presiding Officer—that is some of the extra time gone.

I start by agreeing with Willie Rennie: the Government has put this Parliament in a hellish dilemma. However, being put in a dilemma does not mean that you should do as SNP MSPs appear to be doing, which is to take the easy way out and nod something through.

In this debate and in the period since the Grenfell tragedy, we have seen this Government—which does not have a reputation for competence—displaying pure, greedy incompetence. The fact that the minister seems to be incapable of or unwilling to answer the question of how much money has been spent so far on the challenging issue of remediation is absolutely shocking. It is shocking to those people who cannot yet sell their homes, who cannot move and who, in some cases, cannot remortgage. Worse still, it is shocking for those people who cannot go

to sleep at night because they are not certain that the homes that they are in are safe. Minister, you need to up the pace and you need to do it urgently.

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

Craig Hoy: The loss of 72 lives at Grenfell was a tragedy. Men and women, young and old, and many children died. After the shock and the pain came grief and questions: how was that allowed to happen and who should take responsibility? The first phase of the Grenfell inquiry examined the immediate causes of the fire and how it spread with such lethal effect. The second phase explored the underlying causes of the fire, including the fire safety standards, the response of the emergency services and the building design. It also set out a simple question: what happens next?

That blaze took place 10 years ago and many of those questions have been answered. However, as today's debate has shown, there are other questions: after all that, why has Scotland been so slow to remediate those buildings where cladding still poses a fire risk and why, despite having been given that £97.1 million, are we finding out today that only £14 million has been spent? Why introduce a levy to raise money urgently if the Government is sitting with a pot of money that should be spent urgently? This is the dilemma that has been put before the Parliament today: does the Government actually need this money to accelerate the remediation process? It is clear from Audit Scotland's evidence that it does not need it. What the Government needs is the political will and the nous to get on and do it.

The debate today and the Finance and Public Administration Committee's report, which I welcomed, show that there are significant concerns about the bill. I am not going to do what Jamie Hepburn and others did and simply roll over and say that we will give the Government the benefit of the doubt and that it will all come good in the end. As Liz Smith clearly articulated, the proposed building safety levy might not be the right mechanism for remediating Scotland's cladding problem. As it stands, the bill cannot enjoy our confidence to proceed to stage 2. If the Government is re-elected—I seriously hope that it is not—it could introduce legislation in the next session of Parliament, but, in the meantime, ministers could direct the existing funds to accelerating the remediation process.

Meghan Gallacher identified the completely inconsistent and incoherent way in which the Government is responding to those who are seeking to remediate their buildings at this point in time. That suggests to me that there is a lack of direction from the Government. I get the sense that the minister is being hung out to dry. There

has been no sign of the Cabinet Secretary for Housing. The Government is treating the matter simply as an issue of tax—in other words, a fiscal matter for the minister to deal with—when we all know that the Cabinet Secretary for Housing and other parts of Government should be on it 24/7 to ensure that people's properties are safe.

I turn to some of the specific concerns that have been raised by the committee and, more importantly, by stakeholders, who were full-throatedly and almost universally against the levy. It is crystal clear to me that there are certain areas in which people have coalesced around the view that the Government must think again.

One such issue is that of the polluter-pays principle, which goes to the heart of the matter. The bill drives a coach and horses through the principle that the polluter should pay, because we now know that, at the end of the day, the £3,500 will be added on to the cost of a new home, so it will be first-time buyers who will pay the levy, not the building companies and certainly not the rogue builders and manufacturers that allowed dangerous cladding to be installed on buildings in the first place.

Not enough reference has been made in the debate to rural Scotland. We heard very strong testimony from Scottish Land & Estates and others that the rural housing market is extremely fragile. That is perhaps where the housing crisis is most acute. There is still no clarity on how an exemption for rural areas might be formulated. I will give way to the minister, as he is looking somewhat confused, which is rare for him, although not impossible.

Ivan McKee: We are having discussions about the application of exemptions, and we would welcome suggestions on how those might be taken forward.

Craig Hoy: We appreciate that certain remote areas will be exempt from the levy, but, as I was just about to say, the issue with a rural exemption is that the Government must first have a coherent definition of rurality, the need for which runs through all aspects of public policy. I was about to say that perhaps the minister could reach out to Scottish Land & Estates, because it has suggested some criteria that would aid the Government in relation not only to the bill but to rural pubs and hospitality, which similarly fall foul of the Government's incoherent approach to defining rurality.

I am aware that I am running out of time, but I want to talk about a key issue, the importance of which was made clear in the evidence that was given to the committee—that of the fragility of the Scottish housing market. Those who said, "There's a similar scheme in England, so it will all be fine,"

underplay and underestimate the fragility of the housing market. The building safety levy could be the material change in the operating environment that simply means that developers say no to further development in Scotland. For a Government that has conceded that there is a housing crisis, it would be negligent in the extreme to take no account of that.

Ultimately—interestingly, there is almost cross-party consensus on this—the Parliament has the opportunity to tell the Government to take some time to go away and come back with a better bill. If, in the meantime, the Government spends the remaining £80 million that it has—at the present run rate, I think that that money will probably last for a decade or more—it could reach out to other parties with a view to funding the necessary work through general taxation. The Government is wasting taxpayers' money on many projects, and I am sure that, if it came to the Parliament to request £10 million or £15 million to continue the remediation process until such time as we had a coherent system in place, it would find that there would be cross-party support for that.

However, at this point in time, the Building Safety Levy (Scotland) Bill is the wrong bill. It would be negligent for the Parliament to pass it, and I hope that it does not reach stage 2.

16:49

Ivan McKee: I welcome the contributions that have been made throughout the debate, and I will address many of them shortly. Before I do that, I draw members' attention to the cladding remediation programme, which seeks to address the issue of unsafe cladding. In 2024, the Parliament unanimously supported the Housing (Cladding Remediation) (Scotland) Act 2024, which was intended to underpin and support the delivery of that programme. The UK Government's building safety levy legislation also received cross-party support in the UK Parliament. This bill is critical in establishing appropriate funding for that work. If it is not supported, the Scottish Government will have no choice but to look to the existing capital budget envelope for the £360 million to £450 million that the levy is intended to generate over 12 to 15 years. I hear Craig Hoy's offer to work with the Government to find that in the budget. Craig Hoy might want to lodge an amendment to proposals in the budget next week to propose that that will come from another part of the budget at the same time as he is proposing £1 billion in tax cuts.

To take that money from public spending other than from the levy would mean less money for hospitals, roads, schools and, of course, affordable housing. The point that we need more affordable housing has been made widely this

afternoon. We know from research by the Joseph Rowntree Foundation and others that, if we cut public spending in that way, the impacts will be felt most by lower-income households, and I consider that to be an unacceptable trade-off.

Mark Griffin: Surely the minister must accept that not a single member has asked the Government to take funding from public finances; he is simply being asked to recognise that a pot of tens of millions of pounds has been allocated by the UK Government, which is available to spend, and the Scottish Government has been asked to bring forward a levy proposal that we can support, which has the clarity that we still need and which adheres to the polluter-pays principle. Not a single member has asked the Government to take funding from public finances. The Government has simply been asked to think again about the levy proposal and to use the funds that it already has at its disposal.

Ivan McKee: Some members have been honest about that. If I heard him correctly, Craig Hoy asked for the funding to come from other parts of the budget just a few minutes ago. Other members have not been so honest, because they know that the total cost of this is indicated to be somewhere between £1.7 billion and more than £3 billion. The money that is being spent as we speak does not touch the sides of that. We are talking about less than £100 million compared with something potentially in excess of £3 billion. If Mark Griffin needs me to lend him a calculator to work that out, I am very happy to do so.

Stephen Kerr: Everything that the minister is saying is whataboutery. He has had £97.1 million for five years. He has spent £14 million of it and he has £83 million sitting there. The idea that it is going to cost more than that, so we are not going to do anything, is pathetic. The minister must know that it is pathetic. Craig Hoy said that it will take a decade to work through the money. It is going to take 40 years—that is what it will take at the current rate of attrition on the money. Why does he not just get on with it?

Ivan McKee: Again, Stephen Kerr is struggling to add up the numbers—*[Interruption.]*

The Presiding Officer: Let us not shout at one another.

Ivan McKee: The point is that the programme is being taken forward and the money is being spent, but the whole programme in its entirety could cost more than £3 billion, and that money has to be found from somewhere. If the legislation is not put in place, that money will have to come from public spending. It is time that members around the place, including Richard Leonard, recognised the impact. He is usually the last person to be looking for cuts to other areas of public spending.

I want to go through and clarify some of the points that have been made by members.

Richard Leonard: Will the minister take an intervention?

Ivan McKee: Yes, of course. I will be absolutely delighted to do so.

Richard Leonard: Just for the record, I am not calling for cuts to other areas of public expenditure. I would like to see more public expenditure, but I would like to see you using the public expenditure that you have to remediate cladding.

The Presiding Officer: Please always speak through the chair.

Ivan McKee: Richard Leonard is another member I am going to have to lend the calculator to. We are talking about a small number of tens of millions of pounds compared with the more than £3 billion that is required for the programme. *[Interruption.]*

The Presiding Officer: Let us hear the minister.

Ivan McKee: Anybody who is watching this can understand the numbers and can understand that that potential £3 billion spend has to be funded from somewhere. If Richard Leonard thinks that it should come from somewhere else in the public purse, people can judge his comments on that.

I will talk about some of the comments made by members, starting with a couple of points raised by the Finance and Public Administration Committee's convener. I am happy to pick up separately with him the point about having an exemption for affordable housing. It is my understanding that any housing funded by councils through powers in the Housing Act 1988 or the Housing (Scotland) Act 2001 would be covered by that exemption, but if he thinks that there is an issue that needs to be clarified, I am happy to pick that up.

A number of members raised the issue of having a sensitivity analysis. The Government is absolutely committed to producing and publishing updated impact assessments when we publish the rates later this year. Those assessments will be developed along with the expert advisory group, which, of course, includes representatives from the sector.

Michelle Thomson made a point about developer compensation in the supply chain, which I am also happy to pick up separately if necessary. I understand that the Building Safety Act 2022 made amendments to the prescription periods in Scotland, allowing developers to make claims on the same basis as in the rest of the UK. We have offered to work with the sector on any specific examples of barriers to doing that. No

specific cases of a developer being unable to take forward claims for compensation within the supply chain have yet been identified, but, as I said, we are happy to engage separately with the member on that issue.

Meghan Gallacher: Will the minister take an intervention?

Ivan McKee: I would like to make some progress.

The committee heard a wide range of evidence not only from the sector but, for example, from the Scottish Fire and Rescue Service, which we should listen to when it comes to matters of building safety. The service supported the levy as the only viable option, given the UK Government's position in acting unilaterally. Peter Drummond of the Royal Incorporation of Architects in Scotland, who was quoted by Richard Leonard, has said that architects support the levy as being the most pragmatic solution available.

John Mason made a number of points about the specific details of exemptions, which show that the Government is absolutely willing to engage. We have already reviewed the exemptions and made changes and are happy to look at other constructive suggestions from stakeholders or members about the details as we take the bill through its next stages.

Michael Marra called for a delay to the bill. As things stand, the bill will be implemented in 2028, during the financial year 2028-29, so we are at least two and a half years away from any cash flowing into the public sector finances as a consequence of the bill. It is important to recognise that. We are not talking about money that will be spent now; we are talking about money that we will be spending in two and a half to three years' time, and anyone would recognise the need to be able to raise those funds.

I will take Meghan Gallacher's intervention.

Meghan Gallacher: In my earlier contribution, I raised the issue of letters that I received from two residents of the same building who received two different responses from the Government, one of which was fully supportive of funding cladding remediation, while the other was lukewarm at best. I need to know from the Government when the cladding remediation directorate changed the content of its letter of support to residents, who approved that letter, whether it was seen by Scottish Government ministers and how many people have been sent different types of letter. The inconsistency means that there will be different levels of support, which is, frankly, wrong.

Ivan McKee: I am happy to take up the specifics of that constituency case if Meghan Gallacher wants to write to me about that. To

clarify the position, the Scottish Government will pay for essential works relating to cladding to address risks to life but clearly will not pay for on-going maintenance or other building management costs.

In conclusion, it is important to get some clarity by taking a step back to look at what is actually happening. The public outside will be looking at today's debate and making up their own minds, but what will they see? They will see Tory, Labour and Liberal Democrat politicians whose parties in the UK Parliament voted to put in place measures that would take from developers in England some of the costs for the substantial cladding remediation programme that must take place. Then they will see their compatriots in this place voting against a funding levy to support building safety remediation in Scotland. That proposal was not taken forward by just one party; it was developed under the previous Conservative Administration at the UK level and taken forward by a Labour Government at Westminster.

The public will see that frankly blatant hypocrisy. We would never guess that there was an election round the corner. However, to be honest, I think that it will absolutely backfire, because the general public will see it as those parties voting against taking money from developers to support cladding remediation and putting the focus back on reducing public services. I think that they will recognise that for exactly what it is.

The Presiding Officer: You must conclude, minister.

Ivan McKee: I will conclude, Presiding Officer. The Government is very clear that the measure is absolutely essential if we are to be able to support the significant funding to deliver the much-needed cladding remediation programme, the cost of which would otherwise accrue to the public purse. I urge all members to support the bill at stage 1 at decision time today and to engage constructively with the Government on any amendments that they want to lodge at stages 2 and 3.

The Presiding Officer: That concludes the debate on the Building Safety Levy (Scotland) Bill at stage 1.

Building Safety Levy (Scotland) Bill: Financial Resolution

17:00

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of motion S6M-19533, in the name of Shona Robison, on a financial resolution on the Building Safety Levy (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Building Safety Levy (Scotland) Bill, agrees to—

(a) any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act,

(b) any tax imposed in consequence of the Act in relation to which Rule 9.12.3B(a) of the Parliament's Standing Orders applies, and

(c) any charge or payment in relation to which Rule 9.12.4 of the Parliament's Standing Orders applies arising in consequence of the Act.—[*Ivan McKee*]

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

Scottish Parliament (Recall and Removal of Members) Bill: Financial Resolution

17:00

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of motion S6M-20291, in the name of Shona Robison, on a financial resolution on the Scottish Parliament (Recall and Removal of Members) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Parliament (Recall and Removal of Members) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.—[*Graeme Dey*]

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

Decision Time

17:01

The Presiding Officer (Alison Johnstone):

There are three questions to be put as a result of today's business. The first question is, that motion S6M-20285, in the name of Ivan McKee, on the Building Safety Levy (Scotland) Bill at stage 1, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. There will be a short suspension to allow members to access the digital voting system.

17:01

Meeting suspended.

17:04

On resuming—

The Presiding Officer: We come to the vote on motion S6M-20285, in the name of Ivan McKee, on the Building Safety Levy (Scotland) Bill at stage 1. Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 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)
 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)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 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)
 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) [Proxy vote cast by Jackie Dunbar]

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Choudhury, Foyso (Lothian) (Ind)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 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) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (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)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 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)
 Rennie, Willie (North East Fife) (LD)

Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-20285, in the name of Ivan McKee, on the Building Safety Levy (Scotland) Bill at stage 1, is: For 65, Against 54, Abstentions 0.

Motion agreed to,

That the Parliament agrees to the general principles of the Building Safety Levy (Scotland) Bill.

The Presiding Officer: The next question is, that motion S6M-19533, in the name of Shona Robison, on a financial resolution on the Building Safety Levy (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Building Safety Levy (Scotland) Bill, agrees to—

(a) any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act,

(b) any tax imposed in consequence of the Act in relation to which Rule 9.12.3B(a) of the Parliament's Standing Orders applies, and

(c) any charge or payment in relation to which Rule 9.12.4 of the Parliament's Standing Orders applies arising in consequence of the Act.

The Presiding Officer: The final question is, that motion S6M-20291, in the name of Shona Robison, on a financial resolution on the Scottish Parliament (Recall and Removal of Members) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Parliament (Recall and Removal of Members) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.

The Presiding Officer: That concludes decision time.

Meeting closed at 17:05.

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Members and other meeting participants who wish to suggest corrections to their contributions should contact the Official Report.

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