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Scottish Parliament

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

Portfolio Question Time

Environment, Climate Change and Land Reform

Deer Control

1. **Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government what its position is on the importance of deer control in urban settings. (S5O-00121)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Deer management and control in urban and lowland settings is just as important as that carried out in upland Scotland or any other land type. The likelihood of increased public presence in urban areas will always be a key consideration in ensuring that deer management is delivered safely and with appropriate consideration for deer welfare.

Linda Fabiani: Does the cabinet secretary recognise the importance of local operatives, such as members of the South Lanarkshire deer management group, in controlling the unique peri-urban deer situation? Does she also recognise the potential of the work that has started to identify local facilities in which to chill, store and prepare venison for local consumption? Does she agree that such an approach is good for the environment and good for health?

Roseanna Cunningham: The Scottish Government supports sustainable deer management that protects the public interest. We welcome the contribution of the South Lanarkshire deer management group and others in the lowland deer network Scotland who have an interest in deer management and welfare in lowland Scotland.

Lowland deer provide a range of benefits, including support for biodiversity, venison as a healthy food source and the experience of nature for many urban dwellers. However, deer have impacts on crops and trees and need to be managed to reduce the risk of deer-vehicle collision.

The Scottish Government is keen to support the development of more local food supply chains—I am sure that my colleague Fergus Ewing, who is sitting to my left, would endorse that. I understand

that grant assistance can be given for capital costs and co-operative marketing activities to assist with projects such as the development of a community deer larder in the central belt of Scotland, to enable venison to be used locally.

Peter Chapman (North East Scotland) (Con): The development of a robust count programme is crucial to our understanding of deer numbers in urban settings. Following research in 2009, Scottish Natural Heritage pledged to use thermal imaging technology to monitor deer populations. How accurate are the current estimates of urban deer populations?

Roseanna Cunningham: I will ensure that SNH gives the member a detailed response to his question. Counting deer is a constant issue, whether we are talking about urban lowland or rural Scotland—deer numbers are a concern for everyone. It is important to assess the numbers and to keep the assessment up to date. I will get SNH to write to the member on the technical issues that he raised.

Claudia Beamish (South Scotland) (Lab): Has SNH considered urban deer as part of its 2016 review of deer management, and is a recommendation for advice and training in urban deer management for local authorities being considered?

Roseanna Cunningham: SNH is finalising its report on the review of deer management, which is to be submitted to me by 31 October—it is imminent. The report will cover a range of issues. In considering the arrangements for the sustainable management of deer in Scotland it will no doubt cover the issue that Mr Chapman raised, as well as considering whether the current voluntary system is working.

The review covered all deer, so we can assume that the issues about which Claudia Beamish is concerned will have been included. Specifically, the report will include an update on the work of the lowland deer network. I hope that I have said enough to enable Claudia Beamish to look forward to the report's publication with interest.

The Presiding Officer (Ken Macintosh): Question 2 has been withdrawn.

Green Belt (Protection)

3. **Alex Cole-Hamilton (Edinburgh Western) (LD):** To ask the Scottish Government what action it will take to protect green-belt land from developers in order to achieve outcome 3 of the 2020 challenge for Scotland's biodiversity. (S5O-00123)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The Scottish planning policy sets

out a range of policies to conserve and enhance nature, green space and landscapes. Planning authorities can identify green belts or review boundaries within local development plans. Those plans should also identify the most sustainable locations for longer-term development.

Alex Cole-Hamilton: The failure of the Scottish Government to seek the removal of the Cammo estate from Edinburgh's local development plan in its recent report will lead to the loss of natural heritage and biodiversity in my constituency of Edinburgh Western. In recent years, the west of the city has experienced a proliferation of house building, the eradication of green-belt land and the placing of unsustainable pressure on arterial routes. In 2015, St John's Road and Queensferry Road were named as two of the most polluted roads in Scotland. Given that air pollution causes 2,500 early deaths every year, will the cabinet secretary work with her ministerial colleagues to do more to protect our green belt in new legislation, and, in particular, call in any future applications that are associated with the Cammo estate?

Roseanna Cunningham: Alex Cole-Hamilton should be aware that I will not be calling in applications—that is a matter for my colleague Kevin Stewart.

I have frequent conversations with Kevin Stewart, as I do with all my colleagues. Scottish planning policy supports the redevelopment of brownfield land before new development takes place on greenfield sites, and that will continue to be the case.

Green belts are a planning designation that is used to direct development to appropriate locations, to protect and enhance the character of the landscape, setting and identity of a settlement and to protect and provide access to open space. With regard to all those factors, it is fair to say that decisions are taken on the merits of individual cases.

Maurice Golden (West Scotland) (Con): Biodiversity is critically important in urban and rural environments. How many biodiversity surveys have been conducted by Scottish Natural Heritage and related non-governmental organisations in the past five years, and what plans are in place to develop a baseline for biodiversity in Scotland?

Roseanna Cunningham: I will ensure that SNH gives the member the detailed information that he requires.

Disposable Nappies (Cost of Disposal)

4. **Ivan McKee (Glasgow Provan) (SNP):** To ask the Scottish Government what the annual cost

is to local authorities of sending disposable nappies to landfill. (S5O-00124)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Zero Waste Scotland estimates that around 55,000 tonnes of absorbable hygiene products—which include disposable nappies—were sent to landfill or energy recovery facilities in 2014. Disposal fees for that amount of material are estimated to cost local authorities around £5.5 million a year.

Ivan McKee: The cabinet secretary will agree that the financial cost to local councils and the environmental cost to us all that arises from the widespread use of disposable nappies can ill be afforded. What steps is the Scottish Government taking to alleviate the situation?

Roseanna Cunningham: I remind the member that that £5.5 million a year figure is not solely the result of the use of disposable nappies. However, I agree that we would all prefer it if our communities could save money and our councils could invest in improving services rather than spending money to dispose of material in landfill.

Zero Waste Scotland has promoted the use of disposable nappies through its volunteer network and, for those who choose to use real nappies instead of disposable nappies, local real nappy networks and the real nappy information service offer parents advice and support.

Land Register

5. **Gordon MacDonald (Edinburgh Pentlands) (SNP):** To ask the Scottish Government what progress it is making toward compiling an open, transparent and comprehensive land register. (S5O-00125)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The land register that is held by the Registers of Scotland has been operational since 1981. In May 2014, the Government invited the keeper of the registers of Scotland to complete the land register by 2024, with all public land being registered by 2019. Work is well under way to meet those targets.

On 11 September, we launched our consultation on proposals for a register of controlling interests in landowners and tenants, which arises out of the land reform legislation that was passed by this Parliament earlier this year. The regulations that we take forward following the public consultation will help communities and the wider public know and understand more about the people who control landowners and tenants in Scotland.

Gordon MacDonald: The 2015 Scottish vacant and derelict land survey highlighted that there

were 12,674 hectares not in productive use across Scotland, which could provide the space for more than half a million homes. How does the Scottish Government intend to encourage development in those areas to protect arable land from future housing developments?

Roseanna Cunningham: That question links back to the earlier question on green belts. Scottish planning policy places a strong emphasis on achieving the right development in the right place and sets out guiding principles for development plans to promote a sustainable pattern of development appropriate to the area.

Particular decisions to identify housing developments on vacant and derelict land would be a matter for individual planning authorities in their development plans. The vacant and derelict land fund can be used to cover a variety of costs associated with the remediation of vacant and derelict land so that, in future, it can be brought back into productive use. That could range from industrial, recreational, farm or forestry activities to mixed-use development that could also include housing elements. Such decisions on the future use and development of vacant and derelict land would be dealt with through the planning system.

David Stewart (Highlands and Islands) (Lab): Does the cabinet secretary share my view that the holy grail of land reform must be a fully open and transparent land register? That means no front companies, no shady shell PLCs and no multinational tax havens registered in Panama. The history of land reform in the Highlands and Islands is littered with examples of abuse of power and privilege, and now is the time to open a fresh page on land reform.

Roseanna Cunningham: I can hardly disagree with the member, whose intentions for the future of land reform are certainly mine as well. Unfortunately, the Scottish Government does not have power over all of those issues; I would very much like it to do so, and I invite the member to join me in calling on the Westminster Government to devolve the areas that would require to be devolved in order to achieve the outcome that we both want.

The Presiding Officer: Question 6 has not been lodged.

Land Reform Legislation (Young People)

7. **Liz Smith (Mid Scotland and Fife) (Con):** To ask the Scottish Government what action it is taking to ensure that its land reform legislation does not have a negative impact on young people. (S5O-00127)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The Land Reform (Scotland) Act

2016 introduced a number of key provisions to reform agricultural holdings legislation for the industry and to provide more positive opportunities to young people to gain access to tenant farming opportunities. Those provisions were developed in discussion with agricultural and tenant farming stakeholder organisations, including the new entrants advisory panel that was appointed by the Government to provide advice on issues around support and assistance to new entrants. We listened to those groups to ensure fairness to all, regardless of their age. Land reform legislation as a whole helps to facilitate the development of sustainable communities that have at their heart the need to provide local employment that will keep population, including young people, in the area.

Liz Smith: I am sure that the cabinet secretary will be aware of the recent debate in *The Scottish Farmer*, in which the fear was expressed that the absolute right-to-buy entitlement is likely to create a barrier to new tenancies for young people, because landowners will not create new tenancies while the threat of being forced to sell their land hangs over them. Will the Scottish Government give priority to the farming industry and reassurance to young tenant farmers by guaranteeing no absolute right to buy when secondary legislation on the 2016 act comes forward?

Roseanna Cunningham: The Cabinet Secretary for Rural Economy and Connectivity, Fergus Ewing, is muttering at me that that is a question for him. I am aware of the debate that has been taking place, and I am conscious that there is a discussion going on about the future of tenant farming.

There is funding available to new entrants, and start-up finance is also available. We are already doing work to enable younger people to have access to land; for example, an independent group was set up in 2015 to examine ways of increasing the number of starter opportunities on publicly owned land. We are doing what we can to try to encourage more young people on to the land in order to ensure that there are young people to provide that generational input at the younger age range and that the age gap that is beginning to grow does not make things worse. I am sure that my colleague Fergus Ewing will come back to the member if he feels that there are more specific issues that he would wish to discuss with her.

Puppy Trade (Control)

8. **Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what action it takes to control the trade in puppies. (S5O-00128)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna

Cunningham): The breeding and sale of puppies is strictly regulated by the Breeding of Dogs Act 1973, as amended by the Breeding of Dogs Act 1991 and the Breeding and Sale of Dogs (Welfare) Act 1999. Commercial breeding and sale of puppies can take place legally only under the authority of a licence that has been issued, under that legislation, by the local authority.

Stricter measures, which ensure that a dealer who is selling more than two dogs aged under 12 weeks in any 12-month period needs to obtain an additional licence, were introduced by the Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009.

Emma Harper: As the cabinet secretary will be aware, the Scottish Society for the Prevention of Cruelty to Animals has identified the port of Cairnryan near Stranraer as a crucial point at which the illegal trade in puppies can be disrupted. Many of my constituents in the south-west have expressed concern to me about the issue on animal welfare grounds; some have even formed an action group.

Does the cabinet secretary agree that a public information campaign highlighting good practice among breeders will encourage people to be vigilant when choosing whom to purchase a pet from and contribute towards disrupting this illegal and cruel trade?

Roseanna Cunningham: There is already a great deal of information available; unfortunately, some people continue to choose to ignore it. The Scottish Government code of practice for the welfare of dogs, which was approved by this Parliament in 2010, advises potential purchasers about the aspects to consider when obtaining a puppy and how to purchase it from a reputable source. The code of practice also provides details of animal welfare organisations that provide advice on the purchase of a puppy.

The Scottish Government is currently commissioning research to consider how the demand for illegally traded puppies in Scotland can be addressed.

Colin Smyth (South Scotland) (Lab): The cabinet secretary will be aware of the outstanding work that is taking place in Cairnryan involving the Scottish SPCA, the council's trading standards team, the police, the ferry firms and, indeed, the local community to crack down on the illegal dog trade industry.

Will the cabinet secretary ensure that that work is properly resourced by the Scottish Government and that the current legislation is tightened up to support that work?

Roseanna Cunningham: The Scottish Government supports action being taken by local

authorities and the Scottish SPCA regarding illegal sales and imports of puppies. We also support the work of the pet advertising advisory group, highlighting the internet advertising of illegally traded puppies, so we are already in the business of supporting that work.

I am aware of the local group in Cairnryan that was mentioned. I know that a number of members in the chamber have had conversations with that particular group and I think that the group has had a considerable number of conversations with officials on some of the issues around illegal trading. I look forward to there being continued communication between my officials and the group on its work and, as I indicated before, the Scottish Government is putting in support to local authorities to ensure that they are able to do what they need to do regarding the illegal import of puppies.

Maurice Golden (West Scotland) (Con): I would like to know when the research that the cabinet secretary referred to will be published and the timescales associated with it. Also, could she detail the support that is being provided to local authorities in relation to the illegal transport of puppies?

Roseanna Cunningham: As I indicated, the research is in the process of being commissioned, so I am afraid that information about timetabling will not be available until we proceed with the commissioning.

The member asked for details on the support that we are putting in place. As I indicated, we are supporting local authorities and the SSPCA on illegal sales and imports of puppies. We are also doing what we can on penalties and on ensuring that information is available to all of those people who are thinking about buying a dog. However, a considerable amount of the work that is involved is the responsibility of local authorities, which of course operate under a bigger financial deal than simply the specifics of this.

Climate Change (Sectoral Targets)

9. Alexander Burnett (Aberdeenshire West) (Con): To ask the Scottish Government whether its climate change plan will contain sectoral targets for waste, buildings, heat and transport. (S5O-00129)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The climate change action plan—the third report on policies and proposals—will set out how we will meet Scotland's next batch of statutory climate change targets to 2032. We are already working to identify the best way to deliver those targets, including the contribution from individual sectors.

In developing the action plan, we need to consider all options for reducing carbon across the economy, as well as look at the interaction between sectors. To support development of the plan, the Scottish Government commissioned an energy modelling system—known as TIMES—which provides insight into future technologies and energy sources. That modelling allows us to develop scenarios for delivering the targets in least-cost ways by assessing how effort is best shared across sectors.

Alexander Burnett: Fifty-nine percent of Scotland's properties are rated A, B, C, D or worse, and the Scottish Government will not meet its target to eradicate fuel poverty by November 2016. Leading economists from the University of Strathclyde and the London School of Economics said this week that if all homes reached energy performance certificate C standard, 9,000 jobs would be created, fuel poverty would be cut, emissions would be reduced and ill health would be prevented. Does the minister share the Scottish Conservatives' ambition to achieve an EPC C rating on all properties by the end of the next decade at the latest?

Roseanna Cunningham: There are key policy issues that need to be addressed in the climate change plan. They include investing in the national infrastructure priority to improve the energy efficiency of homes, so I hope that the Conservatives will be supporting the Government's proposals. We will introduce a warm homes bill to support accelerated deployment of renewable and district heating; and we will reduce transport emissions as well.

Rural Economy and Connectivity

14:21

Urban Broadband

1. **Miles Briggs (Lothian) (Con):** To ask the Scottish Government what action it is taking to improve the quality of urban broadband. (S5O-00131)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): Although commercial investment is the key driver of the quality of urban broadband networks, our investment through the digital Scotland superfast broadband programme is improving coverage in a number of urban areas. At the same time, we engage regularly with telecoms suppliers to encourage investment, and we are working with Ofcom to ensure that the regulatory environment stimulates that investment and ensures quality of service.

Miles Briggs: During the election campaign and in recent weeks, I have met a number of constituents who have outlined to me the poor broadband levels that they are receiving in some parts of Edinburgh. The capital city has some of the greatest differences in broadband download speeds, with recent test results ranging from 0.47 megabits per second in Craiglockhart to 109.6 Mbps in Morningside. What action is the Scottish Government taking to address those urban variations in broadband provision, and when will the suppliers and providers of broadband be asked to address the variations?

Fergus Ewing: I have met a number of the companies involved since I was appointed as Cabinet Secretary for Rural Economy and Connectivity. Plainly, our ambition is for everyone in Scotland to have a high-speed broadband connection, so we have set out a path to do that within the period that we set out in our manifesto.

However, the duty to provide service in city areas rests primarily with the commercial operators—it is not an obligation that rests on the public sector. I am sure that Miles Briggs did not intend to imply that it did, although many may have inferred just that. I am able to reassure him that where our responsibility rests, which is in tackling the gaps in other parts of Scotland, we are discharging that duty. As I have nine further questions on this, I hope to have ample opportunity to expand on the subject.

The Presiding Officer: You have more than that, minister.

Ash Denham (Edinburgh Eastern) (SNP): Can the cabinet secretary advise how much the Scottish Government has already invested in fibre broadband and how many premises in Scotland now have access to it?

Fergus Ewing: That is an extremely helpful question. Thank you. [*Laughter.*]

I think that the public will wish to know the facts. The digital Scotland superfast broadband programme is delivering £400 million of investment, with the Scottish Government and public sector partners investing approximately £277 million to deliver fibre broadband coverage to at least 95 per cent of premises by the end of next year. I see a lot of faces on the Conservative side of the chamber—not all of them are smiling yet, but there is time.

John Scott (Ayr) (Con): The cabinet secretary will be aware of lower than hoped-for broadband speeds in my constituency of Ayr, particularly in the Wellington Square area, which is the heart of the business community and—coincidentally—where my office is located. Can he do anything to further encourage those who could provide us with better broadband speeds to do so forthwith?

Fergus Ewing: The issue does not seem to have impeded the efficacy of John Scott's output, so I am pleased about that. However, he has raised a perfectly good point, as have all members who have commented. The issue is plainly one of the priorities for us all across these islands over the next few years. It is absolutely serious, so it is vital that we work together—while not letting the commercial operators off the hook—collectively to deliver a better service. Without that, as Mr Scott pointed out, it is not possible for businesses to do their business and be open to market. It is a perfectly fair and reasonable point, so I am keen to work with all members to achieve the objectives that we have set out.

Beef and Lamb (Exports to USA)

2. Jenny Gilruth (Mid Fife and Glenrothes) (SNP): To ask the Scottish Government when it last met the US Department of Agriculture regarding relaxing the import restrictions on Scottish beef and lamb. (S5O-00132)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): Meetings with the US Department of Agriculture with regard to imports are carried out through the United Kingdom export certification partnership and the Department for Environment, Food and Rural Affairs. A number of those meetings have taken place to push for progress on opening the US market for United Kingdom beef and lamb. The US lifted its ban on European Union beef in 2014.

The previous rural affairs secretary, Richard Lochhead MSP, visited the US and Canada last year and secured a commitment from the USDA to set a clear timeline for the approval process for the importation of Scotch beef and lamb. As a result—largely, I may say, due to the efforts and persistence of my predecessor, Richard Lochhead—I am delighted that the US recently opened for consultation a proposed rule change to lift the ban on EU lamb.

Jenny Gilruth: Can the cabinet secretary indicate the value of the lifting of those restrictions to our red meat industry? Does it mean that haggis will finally be able to be served at Burns suppers in the US?

Fergus Ewing: I cannot give a precise estimate, but I can say that the Republic of Ireland's meat sector gained access last year and that exports of approximately £3 million of fresh and frozen beef were made to the US.

I would be absolutely delighted if haggis could once again be presented on the dining tables of the US of A. I would be happy to address personally the

“Great chieftain o’ the puddin-race”

on the occasion of a Burns supper held specially to celebrate the legalisation of haggis in the US.

Peter Chapman (North East Scotland) (Con): I welcome the news that, in February, Scotch beef and lamb exports landed in Canada for the first time in 20 years. Can the minister provide an update as to the success or otherwise of red meat exports to the Canadian market?

Fergus Ewing: I can certainly provide Mr Chapman with details of that. I will get the precise information on what data there are. I am really determined that we make progress with the lifting of the BSE ban. We have been BSE free for the requisite period and we are proceeding with the consultation as quickly as possible. I have had a meeting with meat wholesalers' representatives and I am extremely well aware that there is now a great head of steam behind the application. Quality Meat Scotland has done great work. I am hopeful that we will see the lifting of the ban and the achievement of BSE-negligible status, which I think would be endorsed by all members.

High-speed Broadband

3. Alex Johnstone (North East Scotland) (Con): To ask the Scottish Government what progress it is making in providing high-speed broadband to rural areas and town centres that are served by exchange-only lines. (S5O-00133)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): The Scottish Government is making substantial progress on the issue. Although delivering fibre broadband to exchange-only lines is more time consuming and complex, our investment through the digital Scotland superfast broadband programme has so far made available extended fibre broadband access to more than 170,000 homes and businesses served by exchange-only lines—with more being connected every day—in some of the hardest to reach communities across Scotland, as well as towns and cities.

Alex Johnstone: Permit me to declare an interest in that, since superfast broadband came to my town of Stonehaven over three years ago in a blaze of publicity, I have still been unable to obtain a connection, as I am on an exchange-only line. Correspondence with digital Scotland has indicated that there is no timescale in place. Given the promises that the Government has made in recent months, would it be possible to achieve a programme and a timescale that will tell individuals who suffer from this disadvantage exactly when their problems will be solved?

Fergus Ewing: I will certainly look into the position of Alex Johnstone's case. The Scottish Government is committed to delivering 100 per cent superfast broadband across Scotland by

2021. Members will be interested to know that last week we published the prior information notice, which is the latest step in achieving that ambition. I am not entirely certain whether that procedure is appropriate for the problems relating to Alex Johnstone's house, because I do not know its exact whereabouts, nor how it is classified. I would be happy to receive an invitation to it, which would help to put that right.

It is fair to say that all members across the chamber have had this issue raised by many constituents, and it has been raised by a great deal of businesses. We see that the issue has moved to the top of the agenda in Scotland, both for individuals in their ordinary lives and for businesses, and that is precisely why we have devoted so much public money to tackling the problems, while acknowledging that commercial operators should do their bit and pressuring them to do so. If I am asked more questions about the issue I will be very happy to elaborate further.

Richard Lochhead (Moray) (SNP): Although tens of thousands of homes have benefited from the Scottish Government's investment in superfast broadband, there is some frustration among homes, particularly in rural areas, that are still without and are seeing other homes getting even faster broadband speeds. Can any pressure be brought to bear on BT to demand that it prioritise such homes, rather than be solely numbers driven?

Fergus Ewing: We are in a contract with BT in the Highlands and Islands Enterprise area, as Richard Lochhead well knows, and we are in partnership with BT. The contract has proceeded well. In fact, as BT has gained more than the anticipated number of customers that was set out in the contract, under a gainshare clause we have received more money back to reinvest in additional coverage. That is evidence that our contract is fairly well framed and is delivering more benefits than were originally intended.

Of course, Richard Lochhead is absolutely right that some people are still not covered, and for them it is very little consolation that a great deal of people are now receiving coverage and have adequate broadband speeds.

We are pressing BT. Last week, when I met Brendan Dick and representatives of Openreach, I said that Openreach and BT need to improve their performance in Scotland. I was pleased that the tone of the meeting was constructive. In a number of respects, BT has indicated that it wants and plans to do more. I urge all members to join Richard Lochhead and me and make it known to BT and Openreach that Scotland deserves the best possible service. BT, in the position that it operates in, is of course the major player in

providing the commercial solutions that are required.

Kenneth Gibson (Cunninghame North) (SNP): Given concerns regarding BT's monopoly position in delivering superfast broadband via exchange lines—not always efficiently—will the Scottish Government consider supporting other forms of delivery to homes and businesses, such as white space broadband?

Fergus Ewing: We are open to various methods of delivering the objective that we all seek. A number of mechanisms are possible, and Kenneth Gibson mentions one that may fall into that category. One condition attached to the United Kingdom Government's new state-aid scheme for broadband is that all major new public investment in broadband must be delivered via new procurements. That should allow us to drive more competition and deliver a better outcome, and we anticipate that reaching 100 per cent superfast coverage will involve a mix of technologies and delivery models, potentially including TV white space, which is currently being trialled in Orkney as part of the Scottish Government's demonstrating digital programme.

Rhoda Grant (Highlands and Islands) (Lab): The cabinet secretary said in his previous answer that BT had reached more people than had been intended under the contract. What percentage was in the contract? As I understand it, the promise made to Scotland was that 75 per cent of households would be reached by superfast broadband by the end of this year. My understanding is that in parts of the Highlands and Islands the figure is a little over 50 per cent. I would be interested to know what was in the contract.

Fergus Ewing: It is fair to say that the progress that we have made has been acknowledged by Audit Scotland but there is much more to be done.

I will provide the member with the precise figures in relation to gainshare. I know that she has a serious interest in the issue and I apologise for being unable to meet her at lunch time today because of other matters; I meant to do that privately, but there we are—it is on the record. In all seriousness, I will provide her with full details and I will be happy to discuss that at our meeting, which I look forward to with great pleasure.

Liam McArthur (Orkney Islands) (LD): I noted with interest the cabinet secretary's response to the question on the white space project that is being piloted in Orkney. Obviously, a wide range of technological solutions can help to deliver the superfast broadband commitment of 100 per cent by 2021. Will the cabinet secretary reassure my constituents that, if those in more outlying areas have access to it, they will not pay through the

nose for it or pay far more than constituents in other parts of the country will pay?

Fergus Ewing: Liam McArthur raises a fair point, which is well made. Of course, we do not want anyone in Orkney or any other rural or island community to pay more than someone in an urban community. That happens in many other cases. I see Mr Scott nodding sagely even as I speak—he does not really nod in any other fashion.

It is a perfectly fair point to make. I am not passing the buck when I say this, because it is a matter of fact that responsibility for the regulation of telephony rests with the United Kingdom so it is a matter for the Office of Communications and the UK Government, supervising Ofcom. Recently, I had a productive meeting with Sharon White, the chief executive of Ofcom, as a result of which a number of things were to be taken forward. I am grateful for Mr McArthur's point and will add it to my list.

Superfast Broadband (Impact of European Union Withdrawal)

4. Ruth Maguire (Cunninghame South) (SNP): To ask the Scottish Government what impact withdrawal from the European Union would have on the digital Scotland superfast broadband project. (S5O-00134)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): The potential withdrawal of the United Kingdom from the EU will have no immediate impact on the Scottish Government's digital Scotland superfast broadband programme—that is always a bit of a mouthful, Presiding Officer. The DSSB project covering the rest of Scotland benefited from funding from the 2007 to 2013 European regional development funding programme, but that has been drawn down in full.

Ruth Maguire: The cabinet secretary will also be aware that changes to mobile roaming charges are due to be introduced in 2017. Is he concerned that Scots who are travelling in Europe will miss out on that benefit if Scotland is taken out of the EU against our will?

Fergus Ewing: Ofcom sets the UK's telecoms regulations in line with the principles that are set out in the EU's regulatory framework. It is not yet clear how the UK Government will take forward post-Brexit telecoms regulation or to what extent it might diverge from the status quo. That includes the position on the imminent abolition of mobile roaming charges, which we all welcome.

I therefore recognise that there could be a need for the Scottish Government to engage with Ofcom and the EU regulatory bodies to protect Scotland's interests on roaming charges and more widely to ensure that the regulatory framework continues

and does more to improve rural coverage. I am delighted that Mr Russell and Ms Hyslop, who have the responsibility of ensuring that Scotland gets the best possible deal in the difficult situation in which we find ourselves, will be taking the issue forward with me.

Farmers in Debt (Government Support)

5. Maurice Corry (West Scotland) (Con): To ask the Scottish Government what support it provides to farmers who are in debt. (S5O-00135)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): We are committed to providing support across the agricultural community. The whole farm review scheme provided financial advice and action planning to support farmers and crofters. It is now closed for applications and we will be announcing a new support scheme in the near future. The Scottish Government also works with the Royal Scottish Agricultural Benevolent Institution, having donated £50,000 in August 2015 to help the charity to fund financial assistance and support to people who have worked in Scotland in land-based occupations and who are suffering hardship.

Maurice Corry: Statistics that were released on Monday show that farm debt has risen to the highest level since records began in 1972. NFU Scotland says that increased debt has been caused by late support payments and lower market prices. Can the minister guarantee that the common agricultural policy payments will be made on time next year?

Fergus Ewing: As I said yesterday, we have announced a package that will inject up to £300 million, and the aim is to do that in the first fortnight of November. I was very pleased that NFU Scotland welcomed that measure as an enormous contribution to the rural economy.

On the issue of debt, I appreciate fully that many farmers have had a difficult time because of a number of factors, including difficult prices across a range of their activities. I would also point out, however, for the sake of accuracy—it was somehow omitted from the points that other members from the Conservative ranks made on the same issue yesterday—that, although the level of debt among farmers has risen by a certain amount in Scotland, it has risen by a greater amount south of the border. Farmers right across the UK have increased their debt and it is entirely wrong to say that it is a Scotland-only matter. Nevertheless, it is a serious issue, so we continue to work with the banks, which have provided enormous help. I am slightly surprised that we have not heard some recognition of that support from other members, but perhaps that is just an inadvertent omission.

The Presiding Officer: I thank the cabinet secretary for his comprehensive answers, although I apologise to all the members whom I was unable to call.

Point of Order

14:41

Murdo Fraser (Mid Scotland and Fife) (Con): On a point of order, Presiding Officer. You may recall that, before the summer recess, I raised a point of order about the availability of printed copies of the *Business Bulletin* at the back of the chamber. At that time, in correspondence, you undertook to ensure that copies would be available to members coming into the chamber. However, I notice that there are no copies available at the back of the chamber today, and there was a similar situation last Thursday, when there were no copies available at the start of First Minister's question time. I wonder whether you could endeavour to ensure that there will be sufficient copies available for members who wish to consult a paper copy in the future.

The Presiding Officer (Ken Macintosh): I thank Murdo Fraser for that point of order. I am only surmising at this stage, but I suspect that there were a limited number available today but not enough to meet demand. However, I take on board that there were not enough last week and today. I will make sure that the parliamentary officials take note of that and try to meet the whole chamber's requirements from now on.

European Union Referendum

The Presiding Officer (Ken Macintosh): The next item of business is a debate on motion S5M-01412, in the name of Michael Russell, on the implications of the European Union referendum result and the United Kingdom's negotiated position. I call Michael Russell to speak to and move the motion.

14:42

The Minister for UK Negotiations on Scotland's Place in Europe (Michael Russell): Last week, the First Minister updated Parliament on the work that has taken place since the EU referendum and earlier today, she provided further information to the European and External Relations Committee. I will not repeat the detail of her statement, but I will emphasise what she has made clear by her actions: that the Scottish Government has lost no time in engaging fully and robustly on all fronts. Getting the right deal for Scotland—the best deal for Scotland—in circumstances not of our choosing must be the shared aim of every member in this chamber and everyone in our country. I echo the First Minister's welcome for the European and External Relations Committee's report, which was published this week and makes a valuable contribution to this urgent debate. It rightly prioritises access to the single market and reassurance for EU nationals who are living here.

Harold Wilson, a key player in the UK's engagement with Europe, once observed that success in political office requires the ability to get a good night's sleep allied with a key sense of history. I am not expecting to get too much sleep in the coming weeks, but I think that the history of the UK's post-war engagement with Europe is instructive.

Britain stood aside when the nations of a divided and devastated continent came together in the 1950s and envisaged a common future. However, when, confronted by steady British decline and the resurgent economies of Germany and France, we changed our mind in the 1960s, de Gaulle vetoed British applications to join on two occasions, concerned that the UK had what he described as a "deep-seated hostility" to European engagement. He was talking from experience, but he was also very prescient, for that "deep-seated hostility" drove—in part, at least—the leave campaign this year, and it is still driving some of the hardest Brexiteers.

Only in the 1970s was the third attempt to secure membership successful, yet we are now back to where the Prime Minister at that time, Ted Heath, feared we might have ended up if his

efforts had not been successful. The UK has decided to deny itself and its people the opportunities available to us on a wider and more prosperous stage,

"leaving"

as Heath feared we might, in speaking in the final House of Commons debate on EU membership in October 1971,

"so many aspects ... affecting our daily lives to be settled outside our own influence."—[*Official Report, House of Commons*, 28 October 1971; Vol 823, c 2211.]

The question for us in this Parliament today is therefore very clear. How do we prevent that from happening? How do we avoid the damage that will be caused by a Brexit that we did not vote for and which we do not believe will improve or assist this nation?

Neil Findlay (Lothian) (Lab): The minister says that we "did not vote for" it, but we participated in the vote as members of the United Kingdom. The United Kingdom voted to leave, and we were part of the United Kingdom. [*Interruption.*]

Michael Russell: I am sure that Mr Findlay is delighted by the Tory cheers. That proves the point. There is a basic difference between Mr Findlay and me in our understanding of nation and nationhood. I understand that the people of Scotland are sovereign; they have the right to be sovereign, and they should be heard.

On 28 June, this Parliament entrusted the Scottish Government with a mandate that gave practical effect to the democratic will of the people of Scotland. We were asked to explore all options—which, of course, must include independence—to protect our relationship with the EU, our place in the single market and the benefits that flow from that.

Since that debate, the Scottish Government has sought clarity from the Prime Minister and her new Secretary of State for Exiting the European Union on how they will engage with the Scottish Government. I will come back to that later, but first I want to take the opportunity to reiterate this Government's commitment to delivering on the mandate and to invite this Parliament to continue to engage in all our efforts to do so.

The First Minister has already got that process well under way. Her Government has reassured business, taken measures to stabilise the economy and ensured that EU nationals who have chosen to make Scotland their home continue to feel welcome. In July, the First Minister outlined five vital national interests that must underpin the Government's actions as we chart a way forward. They are the democratic interest, the economic interest, the maintenance of social protection, the

principle of solidarity and the ability to exercise influence on decision making.

As we go forward according to the mandate set for us by the Scottish people and this Parliament, we must continuously examine how those interests would be affected by and might best be protected within all the options that are open to us.

Mike Rumbles (North East Scotland) (LD): The First Minister said that the mandate that was given by our votes here in the Scottish Parliament was

“emphatically not”—[*Official Report*, 28 June 2016; c 10.]

for a second referendum on independence. That is why we supported it. It seems to have changed since that vote.

Michael Russell: I do not think that it has changed at all, but I would advise the member to listen to his ex-leader Nick Clegg, who was telling people yesterday that he would have voted for independence in these circumstances. Mr Rumbles is out of tune even with his own party.

In July, as I have said, the First Minister outlined five vital national interests.

Willie Rennie (North East Fife) (LD): Will the minister give way?

Michael Russell: No, I want to make some progress. Thank you.

As we go forward according to the mandate set for us by the Scottish people and this Parliament, we will continuously examine how those interests would be affected by and might best be protected within all the options that are open to us. To provide the best advice from a wide range of experience and expertise, the First Minister established a standing council of experts, which has met twice. Moreover, the new Cabinet sub-committee that will deal with these issues will meet for the first time next week.

All Scottish ministers are fully committed to working with stakeholders on the result of the referendum. The Deputy First Minister has provided reassurance to EU students; the Minister for Further Education, Higher Education and Science is working with Universities Scotland; and Roseanna Cunningham has met a wide range of environmental organisations, and they have strongly reiterated the key role of EU membership in tackling environmental challenges. On 1 September, I attended the first in a series of sectoral summits organised by Fergus Ewing. Agriculture, forestry and fishing are crucial areas where exiting the EU will have consequences—with, of course, some such as the fisheries sector showing enthusiasm for what they regard as new opportunities. All ministers are continuing their regular programme of engagement and dialogue,

but with a new focus, ensuring that they understand and that the Scottish Government then addresses the challenges that have been brought by the referendum result.

Today, I restate the First Minister’s offer for me to meet party leaders to listen to and discuss their suggestions and ideas. In addition, this Government has proactively reached out to our European partners with a range of visits and conversations led by the First Minister and Fiona Hyslop, who will, I am sure, mention them later this afternoon. Scotland’s voice is being heard across the EU. We want Europe and the world to know that Scotland voted whole-heartedly to remain in the EU, as befits a nation that is and will remain outward looking and open.

Since the new Prime Minister took office, the First Minister has met her and has spoken with David Davis. In the past three weeks, I have written to him on two occasions. Nevertheless, the message from the UK Government has been confusing and largely devoid of content. Not only is there no road map, there does not even seem to be a direction. It may be that a hard Brexit, with all the damage to jobs and the economy that it would cause, is the desired destination. Indeed, just last weekend, the Foreign Secretary lent his weight to a hardline campaign that demands UK control of

“laws, borders, money and trade”,

as it puts it. Moreover, it appears to be demanding such control immediately.

Most alarmingly of all, we have no idea—none whatsoever—whether the UK wishes to remain within the single market, even though almost three months have passed since the referendum, and we do not know the full scale of the impact of that result, although the UK Government’s own analysis suggests that Scotland’s gross domestic product could be more than £10 billion lower if we leave the EU. That is why the First Minister has talked with such passion about the single market and the importance of the four freedoms that underpin it. Freedom of movement for goods, services, capital and people is what makes the package work.

Adam Tomkins (Glasgow) (Con): Will the minister take an intervention?

Michael Russell: I hope that this will be the last one.

Adam Tomkins: I am grateful to the minister for giving way.

In her statement last week, the First Minister talked about membership of the single market, and I think that the minister is alluding to that in his remarks. Does he agree that there is no such thing as membership of the single market? The question is: how much access to or participation in the

single market do we now consider to be in the national interest?

Michael Russell: I think that it has been commonly described as membership because it requires active participation to secure the four freedoms. There is a difference between that and the image of a single market as a sort of shop, at the door of which countries knock. If Mr Tomkins will allow me to develop the point, I will make it.

As I have said, freedom of movement for goods, services, capital and people is what makes the package work. Those freedoms create the fair competition that is the whole *raison d'être* of the single market; without them all, there is no such thing. It is about having a level playing field, and that extends to the social protections that we value so highly. For equity for Scotland's workers, as well as prosperity for Scotland's people, we must not be dragged out of that single market by the hardline Brexiteers.

That is a case that we must make loudly and clearly. In doing so, we will find many across these islands who have the same belief and who can join us in the fight. Therefore, in the motion before us, I invite the Parliament to add its voice to that of the millions who recognise that the best way to protect Scotland's and the UK's interests is to be a member of—a participant in—the single market.

Our approach to the negotiations must be detailed and comprehensive. It must also be rooted in our values and our principles and based on a vision of who we are as a nation and how we see ourselves going forward as part of the world around us. For example, our core values of equality and inclusiveness mean that, when we talk about economic growth, what we value is inclusive growth—growth that is in keeping with our social and environmental needs as well as our economic needs, and which benefits the whole country, from Lerwick to Luinig.

Our desire for participation is rooted not only in democracy, but in recognition of the progress that the EU has made in protecting and promoting human rights. Our belief in equity will drive our demand for continued social protection, and our care for our heritage and our country will ensure that environmental issues are at the heart of our negotiating stance. It is time that that negotiating process got under way, so that we can start to bring forward those views.

We took Theresa May at her word when she told Andrew Marr two weeks ago that the Scottish Government would be “fully engaged” and “fully involved” in the discussions. We are prepared to accept at face value her commitment that she will not trigger article 50 until she thinks that

“we have a UK approach and objectives for negotiations.”

Unfortunately, I cannot report in detail on the processes and structures that will be put in place to deliver the UK approach. Although I understand the challenges in obtaining agreement to that across all Administrations and am sympathetic to the practical nature of those problems, the Parliament would not expect me to be idle in the intervening period. To that end, I have sought a bilateral meeting with David Davis and, as the First Minister announced earlier, I will meet him tomorrow in London.

I am not known as a taciturn politician. This Parliament is founded on the principle of transparency and it expects openness. Of course, there will be a place for discretion and appropriate times for reporting to the chamber, but there must also be a place for open discussion—democracy and devolution demand it. That is a key point, and I was pleased that it was raised in evidence to the House of Lords EU Select Committee last week. When the nations of these islands start to talk about the future, we will stress—as I have no doubt others will—the necessity of respecting the devolved settlement and the devolved responsibilities and of respecting and living up to the modern idea of an open, accessible and distributed democracy, which the devolved Parliaments of these islands embody.

We have said that we stand ready to listen and to speak. We will listen to the communities, interest groups and citizens of the country and understand their many concerns. We will listen not just to those who voted to remain but to those who voted to leave, and we will address their hopes and fears. As we do so, we will build our negotiating stance, which will be informed by those conversations so that it is focused firmly and relentlessly on how we get the best deal for Scotland and help to get the best deal for the UK.

We will work together across the Parliament, the country and these islands to achieve that aim. My job is and will be collaborative; I am tasked with co-ordination and communication. I will work across the Government and with the Parliament. I am pleased that we are having today only the first of the parliamentary debates on the issues. The Parliament's committees will be active and, if I can assist them, I will do so.

I will finish where I began. Scotland's engagement with Europe did not begin in 1973 with the UK's accession or with the post-war growing together of former adversaries; Scotland's history is intertwined with that of the countries of the wider continent. Our goods were sold there, our soldiers fought there and our students attended European universities. People who went there brought things back, too, such as goods, learning and ideas. Sir Robert Sibbald, who was in 1685 the first professor of physic at the University

of Edinburgh, returned to this city from studying at Leiden and went on to create one of my favourite places: our famous botanical gardens, which are based on Dutch models for medicinal gardens.

We are and always have been an outward-looking people who are keen to adapt to new ideas and tackle difficult problems. European engagement made us at least partly what we are, so who we become from here will depend on continuing in the same way. I look forward to working with everyone who shares that view and who wants to ensure that, whatever the current problems are, Scotland as a European nation continues to flourish.

I move,

That the Parliament recognises the importance of EU membership to Scotland and welcomes the Prime Minister's assurance that she will not trigger Article 50 of the Lisbon Treaty until there is an agreed UK approach and objectives for negotiations; agrees that Scotland's interests are best served within the EU and that a key objective must be for Scotland and the UK to remain inside the EU Single Market; supports the Scottish Government participating fully in all negotiations between the UK Government and the EU in the run-up to, and during, the Article 50 process, and supports an approach that protects Scotland's democratic and economic interests, social protection, the principle of solidarity and the ability to influence decision-making within the EU.

The Deputy Presiding Officer (Christine Grahame): I ask members who hope to speak in the open debate to press their request-to-speak buttons. Not all members have done so.

14:57

Jackson Carlaw (Eastwood) (Con): I speak in support of the amendment that is in my name. On 23 June, the United Kingdom voted to leave the European Union. After a heated political summer, if not a summer of warm weather, we move from heady excitement, immediate political confusion, wishful hot speculation and partisan fancy to the more mundane but extended period of pragmatic preparation within and between Governments ahead of the triggering of article 50 and the negotiations that will determine the shape of the United Kingdom's relationship not only with the EU but, just as important, with the wider world.

Last week, the Parliament heard from the First Minister, just as the European and External Relations Committee did at lunch time today. Last week, I made clear my dismay at her statement. I noted that, if it was designed to enhance Scotland's influence over the development of the UK's negotiating position, its tone and content were entirely self-defeating. This is not a Scottish Government of diplomats and, on last week's evidence, it is certainly not led by a diplomat. However, I took far greater encouragement from the more nuanced remarks from Mr Russell that

were published at the weekend; I was almost moved to flatter them on Twitter before my better judgment took hold.

I welcome Mr Russell to his new role on the front bench. The Government might lack diplomats but, in him, it has one who is capable of diplomacy. Above all else, that skill can secure advantage for Scotland at Westminster as the devolved Administrations seek to secure Scottish, Welsh and Northern Irish interests.

A recent political subtext has been the suggestion that the Conservative Party is the Brexit party. The referendum on 23 June took place following a legislative process at Westminster. In the crucial vote at second reading, 320 Conservatives voted for the referendum and none voted against; 206 Labour MPs voted for the referendum and none voted against; seven Liberals voted for the referendum and none voted against; and the only Green MP voted for the referendum and not against. In the deepest of ironies, it is true that 53 SNP MPs voted against and not for a referendum—the party that favours endless Scottish referenda until it gets the result that it wants voted to deny the UK a vote on Europe—but the point is clear. All but one of the political parties that are represented in this Parliament supported the referendum, which had an overwhelming mandate at Westminster.

Indeed, all the political leaders in this Parliament actively fought to remain, even though 38 per cent—over 1 million Scots—chose to leave. As I have observed before, although the Parliament is proportionately elected, we did not in our vote here represent the Scottish electorate; for us to have done so, some 49 MSPs and not a bare half dozen would have had to vote to leave.

Mr Russell referred to the former Prime Minister, Ted Heath, in 1975. I have looked to see what SNP leaders said in 1975. Donald Stewart, who was the leader of the SNP parliamentary group at Westminster, said in 1975 that the European Community

“represents everything our party has fought against: centralisation, undemocratic procedures, power politics, and a fetish for abolishing cultural differences.”

The doyenne of the SNP and its subsequent president, Winnie Ewing, said that a vote to stay in the European Union would be tantamount to a “death warrant” and would destroy Scotland's hopes of long-term economic prosperity.

The rest of the country may have listened to Mr Heath in 1975, but the SNP did not.

Michael Russell: I hope that the member's fondness for praising me might move a step further by his perhaps saying that we turned out to be prescient and the Tories did not.

Jackson Carlaw: Dream on.

I voted to remain, but I have never assumed that I understand what finally motivated Scots individually to cast their votes either way, and I am perplexed by the First Minister's early and repeated assertion that she does. I certainly did not vote to remain to revive and escalate a failed campaign to withdraw Scotland from a market that is four times as important to us as the European Union. However, in the way that she does, the First Minister asserts that she knows my mind better than I do myself and those of all others better than they do themselves. That is like my mother—but she at least has the virtue of being 85.

My Eastwood constituency had one of the 10 most decisive votes to remain of any authority area across the UK, but the mood is one of acceptance of a UK referendum result, and there is a wish for clarity and a desire for politicians to get on with it.

Over the summer, people regularly engaged while standing in Newlands Home Bakery, which is a successful local chain of bakers in my Eastwood constituency that more often than not has enthusiastic queues full of anticipation. The highlight for me was a contribution that was met with a chorus of shopper unanimity when one shop assistant joined in and made her view clear. She said, "I've had enough of this consultation. I elect you and pay you good money to represent me and if I don't like what you do I can get rid of you. I don't want the responsibility of having to make permanent decisions about the country's future. I actually worried and had sleepless nights, feeling the weight of that responsibility while also being underinformed to make the decision. Enough. Get on with the job and leave me alone!"

As politicians, we should understand just how weary the public are—not the evangelists and party activists, but the general public. There have been two general elections and two referendums in two years. What is the point of breaking the tradition of our representative democracy to conduct referenda if we choose to ignore the result? The SNP has been on the losing side of all three referenda in the past five years and denounced the result of each, and it would happily seek to set each aside.

The responsibility of politicians is clear. Whatever variable results across the UK there were, the result was to leave the European Union. That is what politicians are charged with delivering and what Europe and our allies, however regrettably, now accept and expect will happen.

I want to refer specifically to our amendment and to the European and External Relations Committee's interim report, in which it noted that,

as a consequence of the committee's visit to Brussels in July, when we met various EU member state and other ambassadors, our

"European partners would be open to a distinctive Scottish approach to maintaining our relationships in Europe, as long as that approach had been agreed with the UK Government first."

Those Brussels meetings were held on an unattributable basis, but one senior ambassador spoke plainly. The Scottish Government must take on fully the opportunity that has been offered by Theresa May and play a whole-hearted, sincere and constructive part. If it does so, those discussions with EU member states would proceed with the UK member state agreement and could bear fruit. However, if the atmosphere is soured and confrontational,

"the shutters"—

I use his words—

"will come down all over Europe to any separate discussions with Scotland."

In other words, the Scottish Government can make or break our influence and opportunity in the exit negotiating strategy and discussions. If the siren tone of the First Minister last week is the on-going model, the best outcome for Scotland in the discussions will be doomed. We look to Mr Russell to prevail and to keep the First Minister working on her day job in Scotland, which, frankly, needs and deserves every moment of her attention.

The First Minister's tone has not been encouraging. Her obsession with independence reluctantly persuades us, notwithstanding her protestations, that her view of Scotland's interests can be viewed only through that prism. That is why Ruth Davidson has set up a group of advisers to report to me and her and, through us, to the UK Government. I encourage other parties to consider how best they respond to the conflict of loyalties with which Nicola Sturgeon has clearly wrestled for so long.

We fully support the work of the European and External Relations Committee in its consideration of evidence and hope that that will help to substantially inform both Parliament and the Scottish Government. Ruth Davidson said in London on Monday that, just like devolution, Brexit is

"a process not an event."

There are responsibilities beyond just the negotiations with our European partners. We expect the UK chancellor to acknowledge the economic challenges arising and to address those substantially in his November autumn statement. We recognise the voices of Scottish fishermen and others who see opportunities for Scotland and their particular sectors in our shaping future policy,

currently the preserve of the EU, to meet our needs. Indeed, it was Nicola Sturgeon who remarked in the early years of this Parliament:

“Centralised EU management of fishing over the past 20 years has been disastrous. It is time to return control more closely to fishing communities.”—[*Official Report*, 12 June 2003; c 646.]

We can now make good on that sentiment. Beyond fishing, we have the chance to think afresh about other industries and how they are integrated with the UK.

Scottish Conservatives urge the Scottish Government to work closely and with all sincerity with the UK Government to achieve the best possible outcome from negotiations that will see Scotland and the UK leave the EU. That best outcome extends beyond trade. Can that best be achieved with prescriptive red lines? I doubt it. The EU itself is not fixed in stone. Significant national elections take place in its larger member states next year alone. Pressures for change are evident across the UK.

Our negotiation is not with a fixed edifice but with an evolving union, and the shape of the best outcome for Scotland and the UK will evolve, too. We will encourage, contribute to and support the Scottish Government and Mr Russell when that is their priority. We expect to hear from Mr Russell regularly and wish him well in the discussions that must inevitably commence in detail soon—indeed, tomorrow—with the Secretary of State for Exiting the European Union, David Davis.

I move amendment S5M-01412.2, to leave out from “the importance” to end and insert:

“the result of the EU referendum on 23 June 2016, in which 17.4 million voters across the UK decided that the UK should leave the EU and understands the commitment of the UK Government to respect and implement that decision; welcomes the fact that the Prime Minister has repeatedly said that she expects the Scottish Government to be fully engaged and involved in the process of negotiating the UK’s withdrawal from the EU; notes the ‘very clear conclusion’ recorded in the report of the Parliament’s European and External Relations Committee, which was published on 12 September 2016, that ‘a distinctive Scottish approach to maintaining our relationships in Europe’ may be possible ‘as long as that approach had been agreed with the UK Government first’; understands that this conclusion underscores the importance of the Scottish Government co-operating with the UK Government, and urges the Scottish Government to work in good faith with the UK Government in its forthcoming negotiations with the EU.”

The Deputy Presiding Officer: I ask members and openers to try to keep to their time, because time is very tight. I call Lewis Macdonald to speak to and move amendment S5M-01412.3—seven minutes, Mr Macdonald.

15:07

Lewis Macdonald (North East Scotland)

(Lab): Michael Russell’s opening speech was well trailed both in the press on Sunday and by what the First Minister said at the European and External Relations Committee earlier today. Michael Russell added a historical perspective, which is welcome, although of course there was nothing inevitable about the sudden and complete reversal of 60 years of UK policy on Europe that happened only a few weeks ago.

The Government’s plans for a series of debates on British exit from the European Union are welcome. There will be many consequences of Brexit and many questions that ministers will have to answer about their approach to this process in the months ahead. I hope that we will hear more of the detail in the coming weeks, but I will focus today on the big picture of overall objectives.

It is, of course, not just Scottish ministers who have questions to answer. Theresa May has so far failed to answer the most important question, which is what outcome her Government is seeking on behalf of the whole of the United Kingdom. To be or not to be in the single market is not a matter of tactics or of horse trading, to be kept under wraps until Tory ministers have seen what is on offer across the negotiating table; it is a matter of the utmost strategic significance. Mrs May has disowned the assertion by David Davis that membership of the single market is “very improbable”, but she refuses to say whether she regards it as desirable. We are left to speculate on what not being “very improbable” actually means.

The Conservative amendment rightly highlights, as we have heard, the need for the United Kingdom, as the member state, to endorse any proposals that the Scottish Government wants to discuss with other European Governments or institutions. Mr Carlaw drew the conclusion that Scottish ministers therefore need to work in good faith with their UK counterparts in negotiations with Europe—absolutely. However, he failed to acknowledge the equally obvious point that UK ministers will have to tell Scottish ministers and everybody else what their objectives in the negotiations actually are.

If UK ministers choose not to reveal their strategic objectives, the suspicion will grow that what the Tories really want is to have all the benefits of membership of the single market with none of the obligations: a Europe of free trade and high profits, with fewer rights for working people, fewer protections for consumers and lower environmental standards. I doubt whether many leave voters in Scotland’s inner cities or in the fishing ports of Moray or Buchan thought that that was what they were voting for. Before the Conservative Party calls for the devolved

Administrations to work in good faith with Mrs May's ministers, those ministers need to show their good faith by telling us what kind of British exit from the European Union they are actually trying to achieve.

Of course, transparency is not just for Tories. Scottish ministers also need to set out their stall as they engage with the UK Government, and tell us how they will seek to balance the many different interests that are represented in this Parliament and Scotland as a whole. I accept that a start on that has been made today. The motion reiterates the importance of membership of the European Union—as the First Minister did earlier—and affirms that a key objective of the Scottish Government is

“for Scotland and the UK to remain inside the EU single market.”

Mike Rumbles: According to the motion, the Scottish Government wants to participate

“fully in all negotiations between the UK Government and the EU”.

In other words, it wants to have a veto. Surely that is not the purpose of the Labour amendment, and I would be astonished if Labour were able to support the motion.

Lewis Macdonald: We all agreed as a Parliament that the Scottish Government should negotiate and explore options. That remains the position that we support.

As the statement in the motion about seeking to remain in the single market is the first strategic objective publicly endorsed by either Scottish or UK ministers, it is worth being absolutely clear about precisely what that means. There is, indeed, a single European market, which includes the United Kingdom, and remaining inside that market is a clear objective. However, it is not a European Union market, but a single market of the European Economic Area, which we are also inside by virtue of Britain's membership of the EU. That market is not confined to European Union member states.

Nicola Sturgeon confirmed earlier today her objective that Scotland and the UK should remain inside the European Economic Area, even as the British Government implements its commitment for Britain to cease to be a member state of the European Union.

Adam Tomkins was quite wrong in his intervention, because it is indeed possible to be a member of the European Economic Area even outwith the European Union. That is why the European and External Relations Committee met in Brussels with the ambassadors of the two leading such countries, Norway and Iceland, which are full members of the single market in just the same way that we are.

Adam Tomkins: Does Mr Macdonald not accept that membership of the EEA was designed as a way into and not out of the European Union, and that EEA members have to accept their full subjection to supranational law through the European Court of Justice? There is no sense in which sovereignty could be returned to national legislatures, so there would be no taking back of any control with EEA membership.

Lewis Macdonald: Through the very description that Adam Tomkins used in his intervention, he has confirmed that the single market is, indeed, a membership organisation. We have membership of that organisation and, as Norway and Iceland do, we should seek to retain that membership.

There is a question for the Scottish Government. If its key objective to remain in the single market is secured by Britain remaining in the EEA after we have left the EU, will this Parliament's mandate to the Scottish Government to protect the benefits to Scotland of our relationship with the EU have been discharged?

If the UK remains in the single market, so does Scotland. At that point, should ministers conclude that their mission has been accomplished and that there would be no further need for a distinctive Scottish approach and relationship with the European Union? Would the independence option come off the table if the UK Government successfully negotiates continuing membership of the single market? If so, that would clearly put the ball firmly back in the Conservative court—not at some future point, but right here and now. Mrs May would then have to decide what matters more: keeping ministers in her cabinet who want to leave the single market or getting an independence referendum off the table.

If, on the other hand, SNP ministers would wish to press on regardless in pursuit of a separate Scottish outcome, they need to tell us what else is a key objective for them in the negotiations in addition to the one that they have highlighted today. Is single market membership the red line for the Scottish Government or would achieving that objective not be enough?

Scottish Labour wants to see more rights for working people and better protection for consumers, not fewer rights or less protection. We want higher environmental standards and trade and investment that creates good, well-paid jobs. We see remaining in the single market as a means to achieving those ends, and we will work with other parties on that agenda.

Calling for openness is more than just a slogan; it does not just apply to someone else. The Scottish Government is right to seek full participation in the talks that lie ahead, but it also

needs to be clear and open about what all its key objectives and priorities will be.

I move amendment S5M-01412.3, to insert after “process”:

“while consulting and reporting back to the Parliament on its objectives and priorities,”

The Deputy Presiding Officer: I have to warn members that we are already five minutes over time, which means that members who speak later in the debate will have to make very short speeches. I ask for a tight six minutes from the next speakers, please—or a little less, if you can manage it.

15:15

Joan McAlpine (South Scotland) (SNP): I join other members in welcoming Mr Russell to his new role.

Almost three months on from the EU referendum, in which 62 per cent of voters in Scotland voted to remain, we are no clearer as to what the UK Government means by “Brexit”. It remains a mystery.

It is almost exactly two months since the Prime Minister visited Edinburgh—her first engagement after she assumed office. Some observers at the time said that the Prime Minister was love bombing EU-inclined Scots, but beneath the headlines there were clear commitments from Mrs May, who explicitly said that article 50 will not be triggered until a UK-wide approach is agreed. Immediately after her meeting with Nicola Sturgeon in July, the Prime Minister said:

“We’ve discussed the upcoming EU negotiations and I’m very clear that I want the Scottish Government to be fully involved”.

I reminded the First Minister of that when she gave evidence to the European and External Relations Committee today, and she confirmed that that was the personal assurance that she had received from Mrs May during the discussions, which both women described at the time as “constructive”.

However, in the two months that have passed since then, we seem to have got no nearer to understanding how the Scottish Government will feed into the process of agreeing a UK-wide position ahead of the triggering of article 50. As Mr Russell said, that is not due to a lack of effort on the part of the Scottish Government. I welcome the news that Mr Russell will soon meet the UK Brexit minister, David Davis. There is progress, but it seems to be very slow.

It seems that there has been a change of tone at UK level—certainly in public. There seems to have been a cooling off since the Prime Minister’s warm words in July. For example, in a recent

television interview, David Mundell, the Secretary of State for Scotland who is supposed to speak for Scots in the UK Cabinet, appeared to throw in the towel and accept that we will be outside the single market. He also suggested that only one of what he called “Scotland’s two Governments” would be involved in determining the Brexit process and the UK position. That is the UK Government whose party, for which he is the sole Scottish member of Parliament, got only 14 per cent of the votes in Scotland in the general election last year.

Perhaps David Mundell, like his colleagues Liam Fox and David Davis, was expressing a personal opinion. I hope so. However, as an observer of the process, it seems to me that just as the UK Government undermined the role of Scots MPs in the Westminster Parliament last year when it called for English votes for English laws, it could be doing a bit of an EVEL in the context of Scotland and the EU. We were promised a UK-wide approach, not appeasement of English Brexit voters that ignores Scotland, Northern Ireland, London and Gibraltar. Even though Wales voted to leave the EU, on 9 September Wales’s First Minister, Carwyn Jones, said of the negotiations:

“Cardiff, Edinburgh and Belfast must also have seats at the table.”

This debate presents an opportunity for the Scottish Parliament to send the UK Government a strong signal that it should keep the promise that Theresa May made in Edinburgh in July. A comment that the Prime Minister has made since July, which has not been written off as personal opinion, was about Norway. Many people view the Norwegian approach as the least-worst option for our future relationship with the EU, and during the referendum campaign many Brexiteers held up Norway as a possible model for a UK outside the EU. I will not go into all the arguments against such an approach, but Norway’s status within the European Free Trade Association and the European Economic Area means that it is part of the single market—albeit that it cannot set rules and must pay for the privilege.

During the recess, members of the European and External Relations Committee visited Brussels and heard about the advantages of EFTA-EEA status. We heard how much that status is valued by participating countries, even though it means that they must agree to free movement of people. However, Mrs May has dismissed all existing models and has suggested that she can negotiate a bespoke deal for the UK that will curtail EU immigration while retaining the benefits of access to the single market. In a public comment she seemed specifically to rule out the Norway model, which is disappointing. Nobody who knows anything about Europe believes that it is possible to square access to the single market with

restrictions on free movement of people. That is what the overwhelming evidence that has been taken by the European and External Relations Committee to date has shown. We have found that continued access to the European single market is the preferred option.

The single market is built on four freedoms: free movement of capital, free movement of labour, free movement of goods and the right to provide services. The free movement of people is not something that sits separately from, or even alongside, the single market; it is integral to it because it is one of those four freedoms.

The evidence that was given to the European and External Relations Committee by the Fraser of Allander institute was rather sobering. It considered various options for the UK and the economic impact that they would have and found that the hard Brexit that has been alluded to by several UK ministers would be the most damaging option in terms of forecasts and could result in a loss to the UK of anywhere between 3 per cent and 8 per cent of gross domestic product. I very much hope that that does not happen and that the UK Government listens to the Scottish Government and to other parties to the debate and comes up with a solution that enables us to have free access to the single market.

15:21

Rachael Hamilton (South Scotland) (Con):

One of my favourite quotes of all time is from Robert Frost. He said:

“The afternoon knows what the morning never suspected”.

It is with that sentence in mind that we discuss the outcome of the referendum of 23 June.

The ballot paper asked:

“Should the United Kingdom remain a member of the European Union or leave the European Union?”

England and Wales voted to leave, but Scotland, like Northern Ireland, voted to remain, as did other parts of the UK, including London. As Jackson Carlaw’s amendment recognises, in accepting the result we should support the views of 17.4 million voters across the United Kingdom. Hindsight is a great thing, of course, but democracy always wins the day. The most effective countries in the world are those that accept consensus.

The Prime Minister is quite rightly demonstrating caution before deciding when to trigger article 50, in a bid to thrash out the framework of the sort of departure deal that the UK can expect. As soon as article 50 is invoked, the clock will start ticking and the UK and devolved Governments will have two years to prepare for withdrawal from the Treaty of European Union. That timeframe is crucial and will

allow the Scottish Government to feed policy positions in to the UK policy. Theresa May said:

“Our task ... is to negotiate a deal for exiting the EU that is in the interests of the entire nation”.—[*Official Report*, House of Commons, 5 September 2016; Vol 614, c 39.]

It must be pointed out that although European heads of state are sympathetic to Scotland’s majority remain vote, they are not prepared to intervene in internal UK discussions.

Practical detail must be at the top of the agenda before Brexit negotiations can take place, and I look forward to the Scottish Government fully engaging with and being involved in the process of negotiating our withdrawal. Teams of Brexit negotiators are being formed in the UK Government, and now that he has been appointed Brexit minister, Michael Russell will meet David Davis tomorrow. We look forward to hearing about the progress of his recruitment of a Brexit team and of joint collaboration plans.

European Parliament committees have gathered evidence from industry and academics, and now it is time for us to work together in the best interests of the people of Scotland, England, Ireland and Wales. It would be a step forward to see a post-Brexit display of unity among the devolved Governments and the UK Government to ensure our enduring success in Europe and on the wider world stage. However, to put this conundrum in perspective, our biggest trading partner is the rest of the UK: Scotland’s trade with the UK is worth four times that of its trade with the EU.

Businesses are seeing potential in Brexit. It will not have escaped members’ attention that we are in Scottish food and drink fortnight; that sector is growing, based on a strong home market and an expanding export presence. Further details on trade negotiations are vital to the sector. In particular, producers want the process of transferring goods and services in and out of the UK to be a smooth journey that ensures that their sector reaches a projected turnover target of £16.5 billion by 2017.

Joan McAlpine: Rachael Hamilton might recall that when Scotland Food and Drink gave evidence to the European and External Relations Committee, it was extremely concerned about the effect of Brexit on access to labour and made the point that EU citizens form an extremely important part of the labour force in that industry. How can she address those concerns if her Government is determined to restrict migration and the free movement of people?

Rachael Hamilton: I thank Joan McAlpine for that question. She is absolutely right that that is important in the food and drink industry and, in particular, in tourism: the make-up of EU migrants is high within that industry. Michael Russell and

his team need to address that, and to communicate that in collaboration with the UK Government. Further details on trade negotiations are vital to the sector.

The NFU Scotland reminds us that primary producers are the foundation stone of the food and drink industry and that its members are integral to the continued success of agricultural production and its wider partners. The Scottish farming industry is interpreting our withdrawal from the European Union as an opportunity to allow access to new markets and for future arrangements to work better for Scottish farmers and crofters.

It is important that current EU funding streams that benefit agriculture are negotiated to replace the common agricultural policy. We also cannot stress enough the importance of research and innovation funding within farming that generates significant economic return and food security. Leaving the European Union also presents the Scottish fishing industry with many opportunities to reinvigorate its coastal and island communities and deliver a thriving, profitable and sustainable fishing industry.

We have been concentrating mainly on discussions on trade relationships within the EU because we consider that countries in Europe are reliant on an interdependent relationship with the UK. That presents us with a positive future. However, the world is our oyster and Brexit presents new prospects. As John Muir said:

“When we try to pick out anything by itself, we find it hitched to everything else in the universe.”

We must consider the scope of negotiations; they go far beyond the confines of the European Union. Independent or bilateral trade discussions with countries including the US, Japan, Australia and India will bear fruit as we develop relationships that must be nurtured.

To conclude, our role must be to mitigate economic downturn by opening up new opportunities to Scottish industries. We need to work protect what works for us and drop what does not as we move closer to forming a new relationship with the EU and the wider world.

The Deputy Presiding Officer: Thank you for keeping to time, despite interventions.

15:27

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): The common fisheries policy of the EEC and EU has hung over the fish catchers in my constituency ever since the Tory Government sold out our interests when they took us in.

You will not find a single occasion when I have stated that it was good for us. I agree with the

Scottish Fishermen’s Federation’s helpfully concise briefing, which says that we need

“fairer and more appropriate shares of catching opportunities for the Scottish fishing industry within our own waters”.

It is worth saying, parenthetically, that the establishment of the 200-mile limit did not necessarily extinguish access for countries which fished in those waters prior to its establishment, and it is not clear whether leaving the CFP will deliver all these waters to Scotland—but that is for another day.

My first speech on the CFP was here in 2001, on the day after I was sworn in to Parliament. I was able to say then:

“I am happy to agree with Jamie McGrigor”

—who was then a Tory MSP—

“who spoke yesterday of the need for more local control. We in the SNP have advocated that for many years.” — [Official Report, 14 June 2001; c 1670.]

I go further in two respects. One of the most frustrating aspects of the common fisheries policy for our fishermen lies in our ability to suspend fishing rights in an area of our interest but only to apply to our own boats. Other nations’ boats can continue to fish in areas where our boats cannot. That must end.

Secondly, the right to fish is essentially provided by a grant of quota from government, and at no cost to fishermen. Therefore, I suggest, any value associated with quota must remain a public asset. We must look for ways to make it an asset from which local fishing communities as a whole can benefit. Equally, we need to find a way to be fair to fishermen who have paid for quota in good faith. If we need any knowledge of Tory thinking on that subject, we need look no further than Philip Booth of the Institute of Economic Affairs. He writes on the Conservative Home website:

“The solution is to establish property rights in sea fisheries”.

and goes on to suggest an international trade in these rights. That is absolutely opposed by our fishermen and runs entirely counter to broader community demands for local control—once again, it is an indication that the Tories wish to sell out the interests of our fishing communities. In doing so, the Tories are departing from former Tory MSP Jamie McGrigor’s position, with which I was able to agree in 2001.

As the Scottish Fishermen’s Federation and others acknowledge, we need a new fisheries management system and—as in Iceland, the Faroes and Norway—our fishermen need to be inside the room while the local detail is determined.

Fundamentally, that means that control of fisheries in our waters cannot be left to Westminster, which took us into the CFP and has a track record of selling us out when negotiations on fishing take place. Fisheries must instead be controlled here, in this Parliament, but with significant local decision-making by local communities embedded in the process.

Of course, fishing is not about catching alone. The economically larger part, as well as larger by employment, is fish processing. Its interests require the free movement of people and unfettered access to the very large market that is the EU single market.

I was interested that Mr Tomkins appeared to suggest that Brexit means leaving the EU single market. I thought that the question on the ballot paper was about leaving the EU. It did not commit us to leaving the EU single market.

Adam Tomkins: My view is that Brexit requires us to ask, what kind of access to the single market is now in the national interest?

Stewart Stevenson: The national interest is clearly expressed as access to all the rights and privileges of being able—without visas, paperwork or costs—to continue to sell into the market and to engage people from across the EU in our industries.

In my constituency, in the fish processing industry, it has proved impossible to rely solely on local labour. Factories in my constituency, even after local lay-offs, continue to have vacancies. Secondary schools in Fraserburgh and Peterhead illustrate the point, with a couple of dozen languages being spoken in each of them.

Leaving the single market could cut us off from all that. Merely having access could mean that all those barriers are likely to be created and we would damage the interests of Scotland and indeed the wider UK.

I will just say a word or two about what the Tories appear to want today. From the Government motion, they wish to delete

“agreed UK approach”,

meaning that they want Westminster to decide. They wish to delete the objective

“for Scotland ... to remain inside the EU Single Market”,

meaning that they want to damage our exports. They also wish to delete

“protects ... social protection”,

meaning that they want to remove safety nets for the vulnerable.

Finally, I understand that many of my constituents used June’s vote to get out of the

CFP, albeit that the leave vote in my constituency was only 1,000 more than in East Aberdeenshire. Scotland now has important interests to look after. We should, for example, lead on fishing negotiations for the UK as a whole; we should not delegate decisions to Westminster—but I am not holding my breath.

15:33

Neil Findlay (Lothian) (Lab): I voted remain in the referendum, after much soul-searching. For whatever reason it happened, the result will have a significant impact, changing our politics, our society, our economy and our relationship with our neighbours at home and overseas.

However, what has concerned me before and since the referendum is how the political class—particularly here in Scotland—has very narrowly and uncritically framed the narrative that has emerged. It is a narrative that says that on every level—every level—Brexit is a bad thing and that we must do anything and everything to remain within the EU and the nirvana of the single market; a single market that, if we are to believe the spin, is the magic rainbow that leads us to a land of fairness, justice and plenty. It is a narrative that completely fails to question the economic policies that have driven austerity, caused mass youth unemployment, constrained demand across the many EU states and crippled the Greek economy. It is a narrative that offers little by way of any critical analysis of why so many people—17 million of them, including 38 per cent of our fellow Scots voters—were so disenfranchised that they decided to vote leave. It appears that the 38 per cent are being airbrushed out of the debate, unlike the 45 per cent who were on the losing side of the independence referendum.

Leave voters are being portrayed as little people who made the wrong decision and who should leave it to the wise people of the political classes who know better and know how to fix it. I believe that that is anti-democratic and downright dangerous.

It is this Parliament’s role to hold those in power to account and never, ever to accept anything without a critique. If we fail to address the issues and have an honest debate about the future of our relationship with the EU, we do the voters in our democracy a massive disservice. A simplistic “EU good, outside the EU bad” mentality will not do.

There are very difficult and serious questions that need to be asked and answered. Yes, there appears to be little planning from the UK Government. However, prior to the vote, the First Minister said that her Government was “planning for all eventualities”. If that is the case, why does the Government not share its plans? Why has it

failed to release the plans under freedom of information legislation when I have asked for them? Does it indeed have a plan?

Are we really saying that we must have access to an unreformed single market, with its much-heralded four freedoms, to which Joan McAlpine referred, of movement for goods, people, services and capital? The single market is predicated on the belief that those freedoms drive prosperity, but have they driven prosperity? They have not done so for the 50 per cent of under-25s who are unemployed in Greece; the 43 per cent in Spain; the 37 per cent in Italy; or the 12 EU states with youth unemployment above 20 per cent. There is no prosperity for millions of our fellow EU citizens. Where is the debate on that?

Ross Greer (West Scotland) (Green): Does Neil Findlay agree with our comrades in Greece who called for a remain vote here, that the only way to reform the single market is by staying in and fighting for that reform? It is for those reasons that many of us in this Parliament call for continued membership of the single market.

Neil Findlay: That is exactly where I am coming from. We have to make that argument, but I do not hear it so far. We are kidding ourselves on in this debate. According to the Government, the rules of the single market meant that we had to tender the CalMac Ferries contract. The rules of the single market mean that we cannot take the railways or the buses into public ownership, and its procurement rules do not allow us to end zero-hours contracts, demand that the living wage is paid to public sector contractors or address the massive scale of tax avoidance across the European continent.

Where is the Scottish Government's challenge to those failings of the so-called free and single market? What chance do we have of addressing those issues through the Minister for UK Negotiations on Scotland's Place in Europe, who is—and is long on the record as being—a free marketeer? Is it likely that Mr Russell will grasp the thistle and hold out for those changes? There is fat chance of that, I suggest.

I want us to argue for access for our goods and services, but also for change that allows us to take industries into public ownership if we choose to do so; to collect the taxes that are owed to us; and to set the living wage that we want to see. I want to see collective bargaining encouraged, not traded off for bailouts.

On free movement of people, some would have us believe that the policy is egalitarian, to allow people to visit the opera houses of Milan or study at the Sorbonne. For some that may be true, but free movement is really about profit maximisation through a neoliberal policy that is driven by the

desire to allow capital to locate wherever it wants in order to get the cheapest supply of labour, all the time driving down wages and undermining rather than enhancing workers' rights. In the UK and Scotland we see a steady supply of migrant labour, with workers being ripped off by gangmasters, rogue landlords and unscrupulous employers who exploit their plight. They need protection, like any other worker. What are we demanding for them from the single market?

We have had two referendums. We voted to remain part of the UK and, as the UK, we voted to leave the EU. The Government must respect both of those democratic decisions while seeking to get the best possible deal from a reformed single market.

15:39

Clare Haughey (Rutherglen) (SNP): I congratulate Michael Russell on his appointment as Minister for UK Negotiations on Scotland's Place in Europe.

In June this year, a week before the EU referendum, while speaking on a motion welcoming increased trade union membership in Scotland, I warned that the greatest threat to workers' rights would be a vote to leave the EU on 23 June. I was deeply concerned then about the impact of Brexit, but I am even more pessimistic now about its potential effect on ordinary workers.

Some Brexiteers would have us believe that, following the initial post-vote shock, things are getting back to normal, that they will get the deal that they want from the EU—once they work out what they actually want—and that there are few, if any, downsides. That is just a mirage. In fact, little has changed since 23 June in terms of what Brexit actually means or the development of a coherent UK negotiating position. The Brexiteers could not tell us what Brexit meant then and we are none the wiser now. We know that it means different things to different people—and that is just in the Tory negotiating team.

In truth, the impact of leaving the EU has yet to be felt. That impact, particularly if there is a hard Brexit with no access to the single market, could have serious negative consequences for almost every section of Scotland's population and economy. We send almost half of our international exports to the EU, so retaining membership of the single market matters. Quite simply, it is in Scotland's economic interest.

Rachael Hamilton: Will the member take an intervention?

Clare Haughey: No, thanks.

For our manufacturing, engineering, food and drink and finance sectors, any loss of access to

the EU market matters. The benefits cannot easily be replaced by instantaneous access to markets round the world. Such access takes many years to develop. Potential trading partners such as the US, Japan and Australia have already signalled that they will not negotiate with the UK while exit negotiations are on-going with the EU. Even after that, they would prioritise deals with the larger EU trading block.

Our universities benefit from EU funding and many have flagged up serious concerns that uncertainty in the area will harm research projects. Ensuring access to competitive research funding and the global collaborations that flow from it matters.

Adam Tomkins: Will the member take an intervention on that point?

Clare Haughey: No—I would rather just keep going, thanks.

The free movement of people matters as it allows EU students to continue to study here and gives our students the opportunity to study in Europe.

Daniel Johnson (Edinburgh Southern) (Lab): Will the member give way?

The Deputy Presiding Officer: I do not think that the member is taking interventions, Mr Johnson.

Clare Haughey: Many things that we take for granted have been possible only with the help of EU funding, especially in areas such as my constituency of Rutherglen, where traditional industries have declined or disappeared altogether. European regional funds have supported many projects in the area. Clyde Gateway successfully bid for EU funds for a variety of projects, including the reclamation of contaminated industrial land at Shawfield for development as a business park. Whitlawburn community energy project received £2.3 million to provide tenants with low-carbon heating and lower energy bills. Continued benefit from European structural and investment funding will be at risk if Scotland is pulled out of the EU against its will, as the UK Government refuses to guarantee that similar levels of funding will be available post-Brexit.

One of the most concerning aspects of withdrawal from the benefits of EU membership is what we stand to lose in the area of social protection. Many of the core rights that we have come to regard as normal are underpinned and guaranteed by EU legislation. Those include the right to 20 days' paid holiday; maternity protections, including paid maternity leave, time for antenatal appointments and employment protection when pregnant; limits to working hours;

health and safety protection; the right not to be discriminated against on the grounds of age, religion, sexuality or gender; the right to trade union representation; equal treatment for part-time workers; equal pay for equal work; and protection of employees' acquired rights on the transfer or sale of a business. All those protections matter to workers, but they will be seriously at risk if left to the devices of a right-wing Tory UK Government. Given the unelectability of Labour at Westminster, we are potentially facing a decade or more of Tory UK Governments that Scotland did not elect and that will not think twice about eroding workers' rights to seek economic competitiveness.

The UK Government is all over the place when it comes to what Brexit actually means. The chancellor wants to remain in the single market, the Brexit minister thinks that that is improbable, the Prime Minister will not say what she wants, the Foreign Secretary has a record of insulting most of the foreign dignitaries with whom he must work and the international trade minister calls UK business leaders "fat" and "lazy"—an example of how to make friends and influence people.

It is just as well, then, that here in Scotland we have a Government that is taking positive action to protect Scotland's interests. It is right that the Government looks at all options to protect our place in the single market and at all options to protect our workers' rights and entitlements, for they are the hallmark of a fair society.

15:45

Jamie Greene (West Scotland) (Con): When I talk about

"a distant, centralised and monumentally complex process, which produces exactly what might be expected from such a structure – ... a continuous stream of largely dysfunctional rules and regulations",

what pops into members' heads? Members might be forgiven for thinking that we have gone back in time in this chamber, and that I am talking about the EU in its entirety. However, those words do not describe the EU but were used by the Scottish Fishermen's Federation to describe the common fisheries policy.

The federation is the voice of an industry that has been suffering for decades. It is an industry in which the workforce is now at half of the levels enjoyed in the 1970s; which for years was forced to dump perfectly good fish back into the waters, because of quotas; which sits by and watches foreign fishermen in its waters while local boats are docked on our shores; and which describes Brexit as

"a once-in-a-lifetime opportunity, as it involves a systemic change in the restoration of our exclusive economic zone".

The fishermen of Peterhead are just part of the song of voices in this debate. The 38 per cent of people in Scotland who voted on June 23 to leave the EU came from across Scotland, from Greenock to Glenrothes and from Dingwall to Dumfries.

We can all agree with the First Minister that the Brexit referendum has created uncertainty in this country. She should be no stranger to such uncertainty. Every referendum with a single question invariably creates diametrically opposed views on the outcome. One side will have won; the other will have lost. As Oscar Wilde might have said to the First Minister, “To have lost one referendum might be considered a misfortune; to have lost two looks like carelessness.” Does she really want to try a third?

The reality is that everyday life has gone on. We are obliged as democrats to respect the outcome of our collective nations. A million Scots voted to leave the EU. Just as we respect the First Minister’s desire for independence, she needs to respect the views of those Scottish people who wanted to leave the EU. The EU has struggled in its current form to survive just a few decades. The UK has survived for centuries, because our bonds are deep, our interests are similar, and our lives and family trees cross the border.

The First Minister admitted just a few hours ago that the EU that she wants Scotland to remain part of needs reform. Jean-Claude Juncker stood up in the European Parliament this morning and asked for even more money to fund an even bigger EU. Trouble is brewing in the EU. The First Minister said this morning that we will examine all options, including independence, to protect our interests. Of course she is obliged to say that, but we are obliged to listen to the concerns that caused more than 1 million people in Scotland to vote leave.

Daniel Johnson: Will the member give way?

Jamie Greene: I shall not; I would like to make progress.

Members here are talking about the “least-worst option” for Scotland. What sort of defeatist language is that, as we go into negotiations? There is an opportunity here to make up our own minds about the thousands of EU acts that we in the farming business must adhere to. Are they all relevant? Are they all in Scotland’s interests? There is the opportunity to do bilateral deals in fishing that benefit each party. There is the opportunity to assess the common agricultural policy and reinvent the parts of it that do not work. There is the opportunity to put some real thinking into the long-term strategy for how we manage our land, grow our food and export our produce. I do not need Brussels to tell me how to manage the Scottish landscape.

For the first time in a very long time, we are being presented—albeit unwillingly, for some—with an opportunity to break the endless cycle in which farmers’ inevitable loss breaks even with a subsidy. Inevitability is not good enough. It is not just the failure of the SNP Government to pay our farmers on time but the failure of the entire EU system that has locked farmers into that inevitability.

Brexit presents us with the opportunity to create a farming, fishing or forestry industry that works for Scotland and the opportunity to do trade deals with a world that wants to trade with us. People do not invest in Scotland just because it is a means to export to Spain or Luxembourg. People invest in Scotland because we have a brilliant, creative and innovative workforce. The success of Scotland does not depend on Brussels.

I know that, for many, the EU means outward-looking, engaged, internationalist politics and I like that too. I love Europe, but Europe and the EU are two different things. Trading with the EU and unconditional acceptance of single market obligations are two different things. I believe that we can create a Scotland within a UK that has global ambitions and relationships. I believe in the union between our great countries—one United Kingdom.

What I need right now is a Scottish Government that rolls up its sleeves and gets on with building a strong Scottish economy, not one that threatens its success with its never-ending rhetoric on independence. I sincerely hope that Mr Russell is willing to negotiate with the interests of all Scotland in mind, not just those of the SNP.

15:51

Mairi Evans (Angus North and Mearns) (SNP): Although Brexit’s ramifications are not yet fully known, an area in which the Brexit vote is starting to have visible repercussions and a very real impact is local government, particularly in relation to funding. That is the element that I would like to focus on today.

Local authorities are responsible for the delivery of one third of Scotland’s allocation of EU structural funds, and it is that funding, alongside transnational funds, that is of immediate concern. Without wanting to dwell too much on the referendum debate and the arguments made on both sides, I think that one element that was missing was the extent to which EU funding underpins a huge number of local projects and the impact of those funds locally and nationally. After all, local authorities, alongside community planning partners, universities and colleges, rely on EU support to deliver work in vital areas such as research and development, business support,

employability, economic development, tourism, support for small and medium-sized enterprises, rural development, community work and tackling poverty.

What are the funds and what do they mean on the ground? For a start, we have the European regional development fund and the European social fund, which fund employability programmes and business gateway activity; ERDF also enables additional business support to be delivered. The LEADER rural development programme and the European maritime and fisheries fund, which are community-led, are worth £2.7 million to Angus and £2.8 million to south Aberdeenshire, both of which are in my constituency. So far, the money has helped to fund community hubs and tourism activities as well as the innovative crowdfunder project in Angus, which is the first of its kind anywhere in the UK.

Then we have the transnational funds, which are over and above what we get back from the EU as net contributors. Erasmus, horizon 2020, Interreg, creative Europe and COSME have all played a huge role locally and in our universities and colleges. I will give members an idea of some of the value and projects involved in some of those funds. In the past programming period, the University of Dundee was involved in more than 20 research projects and had secured €65 million of funding as well as an additional €5 million for the small and medium-sized enterprises involved.

Adam Tomkins: Does the member accept that a country does not have to be a member state of the European Union to have access to those funds and to participate in those programmes? Turkish universities, for example, participate in them.

Mairi Evans: The member is absolutely right, but until we know exactly what our position will be, we will not know what the answer to that question will be.

During the past year alone, Dundee university secured horizon 2020 funding to the value of £7.6 million. The funds have also allowed extensive investment in renewables and carbon reduction programmes, one example of which is the Aberdeen hydrogen buses.

Of course, those figures do not include the other investment that the funding brings in—and that is when the amounts become staggering. Until I was elected to Parliament earlier this year, I chaired the east of Scotland European consortium, which represents eight local authorities across the east coast of Scotland, aims to influence EU policy that affects our region and looks for further European funding opportunities. If we include the private and public moneys levered in on the back of EU grant funding, the combined total funding for projects in just four of those local authorities—the four local

authorities that I happen to have the figures for—was £383,235,000 in the last funding period.

Ross Thomson (North East Scotland) (Con): Will the member take an intervention?

Mairi Evans: No. I am sorry, but I am short on time.

Aberdeen has been a particular beneficiary; indeed, at one point, it was the biggest recipient in the whole of the UK of one of those transnational funds. What does the uncertainty of that funding now mean? There is a reticence on behalf of local authorities to develop new projects as well as a reticence on behalf of EU partners to take part in projects with a UK partner. Because of the lead-in and decision time taken for some funds, local authorities are deciding that they cannot take the risk of bidding. The process for the Interreg fund, for example, which funds transnational co-operation, can take up to a year from the point of application to the final decision. We know anecdotally that UK partners are already not being considered for such transnational programmes. At the moment, there is absolutely no guarantee that anything will replace EU funds and, as we all know, there are quite a few bids in for the £350 million a week that we are apparently going to have.

Rachael Hamilton (South Scotland) (Con): Will the member take an intervention?

Mairi Evans: I do not have time.

Although we know that committed projects—such as those proceeding through LEADER, which are vital to our rural communities—will continue to be funded, many local authorities throughout Scotland are only just getting the funds off the ground and operational. EU funds are designed to provide added value and focus on key themes and areas that are not covered by domestic funding. Without the investment from the current allocated funds—if they are halted or completely withdrawn—there will be a serious detrimental impact both locally and nationally.

Without assurances of funding beyond the next couple of years, and without knowing whether these areas will be ring fenced or protected, we are in real danger of doing extensive damage to our national and local economies and, ultimately, to the people living in our local communities. I hope that I have managed to convey the scope and scale of what some of the impact might be. The Scottish Government is doing everything within its power to reassure, but there is only so much that the Government here can do when we still have no idea what the UK Government's negotiating position is going to be and whether Scotland's voice will be heard in that.

Brexit might well mean Brexit but, until we know what that means, the uncertainty that it is causing and the damage that it is doing are set to continue.

15:57

Ross Greer (West Scotland) (Green): Yet again, we find ourselves in a strange position in this debate. We are not quite a full player, although I expect that today the Parliament will, once again, assert our right to play a full and significant role in the process; nor are we observers commenting from the stands as two teams go head to head in front of us.

The situation itself is far from simple. In many ways, things have moved very quickly indeed over the past few weeks, with events progressing and the key players becoming clear. However, we are not fundamentally any further forward. Article 50 will not be activated any time soon, which is probably a good thing for the UK, given that the Westminster Government seems no closer to deciding what Brexit actually means. All the while, European institutions are preparing a team that in every way outclasses Theresa May's three Brexiteer ministers.

Scotland's position has certainly become no clearer. For those of us who are determined to follow the mandate of our electorate and ensure that our future is within the European Union, the fight is still very much on. Despite the chaos at Westminster, with ministers repeatedly making statements that the Government then has to walk back as nothing more than personal opinion, there have been some positive developments. Guy Verhofstadt, the European Parliament's newly appointed Brexit negotiator, is certainly a fan of ours and has repeatedly made positive statements about the options for Scotland to preserve our European Union membership or our relationship with the European Union.

Of course, Guy Verhofstadt is also very clear about a few things that Westminster Cabinet ministers seem to be struggling with. Just last night, he confirmed that access to the single market means freedom of movement; the two are inseparable, as has been covered in the debate. He is not the first senior European figure to issue such a clarification.

Adam Tomkins: If Mr Verhofstadt is right about that, how can he explain the position of Liechtenstein, which is a full member of the EEA but has a cap on inward European migration?

Ross Greer: I do not think that Liechtenstein's position is particularly comparable to that of Scotland given the significant differences between the two states.

The German chancellor, Angela Merkel, and the President of the European Commission, Jean-Claude Juncker, have made the same point. The United Kingdom is throwing away good will with our European partners through being unable to define a negotiating position, through taking a belligerent attitude and through appointing ministers who simply are not well enough informed about the situation.

The Westminster Government must as a starting point accept that single market access is essential and that being part of the single market means all four freedoms. It would be a monumental act of economic self-sabotage to do otherwise, although otherwise seems to be the preferred option of David Davis and Liam Fox. Their very opposition to the European Union—their leave vote—was motivated by an isolationist, anti-free-movement feeling. However, freedom of movement is an economic necessity for the people whom they represent. In 2013-14, the net benefit of non-UK EU citizens was £2.5 billion. It is particularly essential for Scotland, where an ageing population and relatively high rates of emigration mean that we have welcomed with open arms those from the rest of the continent and beyond who have decided to live, work and study here.

However, freedom of movement is not just an economic tool. It is a statement of our principles—of the kind of Europe that we want to be and of what we see as the purpose of the European project: to break down barriers between nations and assert that there is much more in common between Europeans, and between all peoples, than that which divides us.

Neil Findlay: Does Mr Greer accept that many workers have not come here through choice but been driven here by low pay and poor opportunities in their homelands?

Ross Greer: Mr Findlay clearly had sight of my speech in advance. The point that he makes is in the very next section of it.

The single market and the European project as a whole have considerable flaws, not least among which is the domination of huge economic forces that are the major influence on where and why people move around the continent. Freedom of movement is a principle but it has absolutely been exploited by the capitalist powers across the continent. However, a hard Brexit with a default to World Trade Organization rules is simply not tolerable. It is a line that I believe Scotland is not willing to cross, and I encourage the Scottish Government to maintain a negotiating position that values free movement of all people and to prevent the UK Government at every opportunity from negotiating a deal that puts the freedom of big business above the freedom of all our citizens.

I believe that, if we are faced with a situation where any of those options come to pass, the case for a second referendum on our independence will be a hard one to reject. Recent events have shown in the bluntest of terms the need for the people of Scotland to put our own future in our own hands, to have our own seat at the European table and to escape the disaster zone of Westminster politics.

The Conservatives' amendment for this afternoon's debate and their party line on Brexit shows heads firmly stuck in the sand on that point. It is not possible to say that the votes of 2014 and 2016 can both stand when they are now contradictory. The United Kingdom with its guaranteed European Union membership that Scotland voted for in 2014 simply no longer exists, and it may yet come to pass that it is not possible for Scotland to have satisfactory arrangements inside the UK whilst maintaining a strong relationship with Europe. Our electorate will have voted for two unions but will in time—indeed, quite soon—probably have to choose between them.

For now, though, we remain a member of the European Union, and the on-going discussion should not stop us continuing to build relationships with our European partners. Quite the opposite—the standstill created by the UK Government offers us an opportunity to demonstrate our commitment to Europe. The Government, civic Scotland and all of us must emphasise our commonality and our shared future. Instead of pulling up the drawbridge, we must see that it is time to explore and enhance our relationships with the rest of the European Union. That is what the people of Scotland voted for, it is what this Parliament voted for and it is what I expect us to do.

16:03

Tavish Scott (Shetland Islands) (LD): I start by welcoming Michael Russell to his position as Scotland's leading diplomat. I hope that he will take this in a cheerful fashion, but my understanding and recognition of Mr Russell's diplomacy over the years is that he is Scotland's leading diplomat as long as people agree with him. However, that might be precisely why he has been appointed to his job. I suspect that he will be doing it for a considerable time to come, because the UK leaving the EU will not be a quick process. It is going to take many years; indeed, Mr Russell might be looking for re-election and still be doing his job in five years' time. We have embarked on something, but we simply do not know where or when it will end.

Perhaps given his many busy days to come, including a day in London tomorrow, Mr Russell could start by speaking to Ken Clarke. I thought that I would reintroduce Ken Clarke into a

European debate because it so cheers up the Conservative benches whenever he is mentioned. He said this week:

“none of the Brexiteers at the moment have any clear idea of what they want to do next by way of actual change to our economy, trade, migration and other arrangements with the EU. A flood of legislation and regulations will probably have to be put before parliament over the next few years, implementing changes”.

That is indeed so. If the Conservative Party had listened to Ken Clarke a bit more over the years on Europe, we would be in a rather better situation.

I must say to my good friend Professor Adam Tomkins, who has made many interventions, that this process will not be about constitutional law or the great issues of the constitution; it will be about politics. It is as simple as that. That is why I want to take up Neil Findlay's very fair challenge to all of us who are on the pro-European Union side. I do not necessarily go along with his analysis on everything, but he has every right to set out the questions—on everything from CalMac retendering onwards—that those of us who believe in the EU and the need to reform it must answer.

I want to introduce a few points that I think are relevant in that wider context. On Friday, the first European heads of Government summit to be held without a British Prime Minister since the time that Michael Russell mentioned in his opening remarks will take place. That in itself is a pretty staggering state of affairs. Yesterday, the chair of the European Council, Donald Tusk, said:

“The institutions should support the priorities as agreed among member states, and not impose their own ones.”

That is at the heart of what is wrong with the EU. For many years, there has been too much flow from the centre—fishing is but one example of that—and not enough from the member states. Frankly, the EU has lost the member states.

There is no better illustration of that than the position of the Visegrad four—Hungary, Poland, Slovakia and the Czech Republic—whose members want a looser EU. It was not that long ago—some of us might have been involved on the margins of politics at the time—that the two-stage Europe was being talked of. There was a difference between countries at the centre, such as France and Germany, that were led by Delors and others and which wanted to push forward with a full federalist EU, and countries that they saw as being on the outside of Europe, including Finland, other Scandinavian nations and indeed the UK, which did not see the advantages of that approach. I suspect that we are back in that situation.

In the coming years, Mr Russell will have to consider how best we can fit into that reformed and changing EU. There are those who say that we must stay in the EU come what may, but I am just not sure that I can answer the question, “What will the EU look like in five years’ time?” Over the next two years, there will be 15 elections in member states, never mind what is happening in Germany and France next year. This is by no means a set story. In that context, the biggest challenges for the EU, regardless of what we might think in Edinburgh or London, are security after what happened in Nice, Paris and Brussels; the refugee crisis; and the thing that never gets mentioned these days—the euro crisis and the accompanying financial weakness.

Reform must happen, and it must happen domestically. I agree with what Stewart Stevenson and others have said about fishing, and I hope that the minister, too, will accept that, given the constituency that he represents. We cannot have a repeat of the common fisheries policy; whatever happens in the coming years, it must change very significantly. Yesterday’s briefing to members from the Scottish Fishermen’s Federation set that out very clearly.

Although I always enjoy Jackson Carlaw’s speeches, we do not need to take a lecture on Europe from the Conservatives. The 23 June referendum was not about the future of the UK; it was about the future of David Cameron and the Conservatives. It really is time for Conservative members to eat a little humble pie and let the rest of us sort out our future because, sure as heck, the Conservatives will not do that.

16:09

Alex Neil (Airdrie and Shotts) (SNP): I publicly welcome Mike Russell to his new job and congratulate him on it. As a former Cabinet colleague, I can say that he has been an outstanding minister in every job that he has done, and I am absolutely sure that he will continue with that success—provided, of course, that he follows my advice.

Stewart Stevenson: Hear, hear.

Alex Neil: It is about time we had some honest realism in the Brexit debate. The motto of my old school, Ayr academy, is “Respice, Prospice”—look backwards, look forwards. Unfortunately, there is too much respice in the debate and not enough prospice—there is too much repeating of the arguments that led up to the referendum on 23 June. The challenge now is to decide where we go from here and how we deal with the hand that we have been given as a result of the Brexit decision by the UK people.

We must be clear headed, but there is muddled thinking in the chamber, which we have seen not just today but last week, when Kezia Dugdale demanded that the First Minister should

“secure Scotland’s place in the European Union”

and

“meet Governments around the world to seek a means of retaining our EU membership”.—[*Official Report*, 7 September 2016; c 24-25.]

That statement is absurd, especially from an arch-unionist such as Ms Dugdale. Does she not realise that the UK state that she wanted to keep us in has decided not to stay in the EU? As long as Scotland is a member of that state, we are obliged to accept that democratic decision.

Lewis Macdonald: Does Mr Neil recall the mandate that the Parliament gave the Scottish Government, which was precisely to seek means to protect Scotland’s relationship with the EU and to protect our place in the European single market?

Alex Neil: There is a big difference between protecting our relationship with the EU and retaining our membership. There is also the small point that we cannot retain membership for Scotland because we are not a member. We can retain only something that we already have. We are not the member state; that is the UK. Bringing a little reality to the debate would be useful.

The comments that I quoted show the muddled thinking of some members, and particularly among the unionist parties. The challenge is to make the best for Scotland of Brexit. We should not kid people on that we can turn the clock back to the way things were before 23 June. We must stop refighting the EU referendum arguments, because that debate is over. Our entire focus must be on what we do to plan for life outside EU membership.

That is why I will vote for the Government’s motion tonight, although I have one little criticism of it, which I mentioned privately to the minister. I refer to the words:

“Scotland’s interests are best served within the EU”.

That implies that we can remain in the EU, which I do not accept can happen. The decision has been taken and we must move on.

Neil Findlay: I offer Mr Neil a deal: if he gets his party to stop refighting the independence referendum, I will appeal to everybody else to stop refighting the EU referendum. How about it?

Alex Neil: I would count my fingers before I did a deal with Neil Findlay on anything.

Across the chamber, we all agree that there is a distinction between Europe and the EU. The EU is

part of Europe, but it does not equate to Europe. We are a European nation and we must build on that. We will not be in the EU, but we want close, and good, working, trading, economic, social and political relationships with the EU after Brexit.

The Scottish Government should concentrate on three key demands that embrace the principles that the First Minister announced. There is broad agreement on the first objective, on which I have chosen my words carefully: it is to ensure that we continue to enjoy uninterrupted access to the benefits of the European single market.

The second aim is to ensure that, of the powers that are to be repatriated from Brussels to the UK, as many as possible that relate to Scotland are transferred to this Parliament. Those powers should not relate only to policy areas that are already devolved to Scotland; they should include powers over immigration and VAT.

The UK leave campaign promised that, if the UK left the EU, Scotland would get some control over immigration. That promise must be delivered as part of the Brexit process. We need new immigration powers so that we can adopt an immigration policy that is suited to the needs of Scotland, just as the city of London is already demanding similar powers for similar reasons—to help to grow a skilled workforce and thereby improve levels of economic growth.

Similarly, the Treasury excuse that EU rules would not allow us to devolve VAT powers to Scotland will no longer be valid. We should get those powers.

I have reached my six minutes, unfortunately. I had much more to say, but I will save that for another day.

16:15

Colin Smyth (South Scotland) (Lab): I declare an interest as a councillor in Dumfries and Galloway.

As we have heard throughout the debate, all members agree that the result of the EU referendum will have a significant impact on all our communities. My South Scotland constituency is no different. Our internationally trading businesses are left uncertain about whether they will be able to continue to access a meaningful single market. Key industries across South Scotland, particularly agriculture and the hospitality industry, wonder what will happen to many of their current and potential future workers if we no longer have freedom of movement, and workers—our neighbours and friends—are left in limbo, wondering what the future holds for them and their families.

Our universities are left questioning where future grants may come from if they no longer receive EU research funding, and many of our third sector organisations that heavily rely on EU funding streams fear that even temporary gaps between funding cycles could force many to cease operations entirely.

I will focus most of my comments on European funding. As members will know, Scotland has benefited from a range of European funds for more than four decades. In South Scotland, the largest proportion of that funding comes through the common agricultural policy. Last year, nearly £150 million came into Dumfries and Galloway and the Scottish Borders alone through pillar 1 and pillar 2 payments. That funding is vital to the viability of the agricultural sector in South Scotland.

As Mairi Evans highlighted earlier, payments are also made through the European regional development fund, which is a crucial funding stream for supporting businesses, and the European social fund, which helps to support local councils' employability programmes in many of our constituencies.

European funding supports important rural community and business projects through LEADER, which currently has funding close to £10 million in Dumfries and Galloway and the Scottish Borders over the duration of the programme. The European maritime and fisheries fund also provides important funding to businesses and community groups in coastal areas.

There are, of course, many national programmes that cover South Scotland and are supported by European funding and delivered by Skills Development Scotland, Scottish Enterprise, VisitScotland and the Scottish Further and Higher Education Funding Council. All of them will be affected by Brexit.

Despite those crucial funding streams, South Scotland has not until now necessarily received its fair share of funding. I do not wish to bore members too much with the technical details—although that will not be easy. The existing statistical boundaries—the nomenclature of territorial units for statistics, or NUTS, areas—that the EU uses for regional policy purposes currently combine the Scottish Borders with urban areas in the east, and Dumfries and Galloway with urban areas in the west. Those combinations mask the significant economic challenges that the more rural south of Scotland faces and, as a result of the current NUTS area combination, the region receives a lower level of European funding than those challenges merit.

That is why stakeholders in South Scotland—in particular, the south of Scotland alliance—have

been developing for some time a proposal to create a fifth south of Scotland NUTS 2 area, which would include mainland North Ayrshire, South Ayrshire and East Ayrshire, South Lanarkshire, Dumfries and Galloway and the Scottish Borders. Earlier this year, the Scottish Government backed that proposal, and its recommendation was passed by the UK Government's Office for National Statistics to the European Commission and accepted by the European Statistical System Committee in May 2016.

The proposed new south of Scotland NUTS area showed that GDP per capita in the region is around £17,000, which is just 70 per cent of the EU average. That economic indicator would have meant that, when it came to the next round of European funding, a new south of Scotland NUTS 2 area could have secured tens of millions of pounds of extra funding.

Although there is a great deal of uncertainty in relation to Brexit, it is probably safe to say that, whatever the outcome of the negotiations, there is unlikely to be a continuation of the EU's structural and investment funding as far as the UK is concerned. That means that any current funding levels will be likely to cease and the potential benefits that changes to NUTS 2 boundaries would have brought to the south of Scotland will now not materialise.

However, in preparation for eventual Brexit, the UK and Scottish Governments will need to put in place policy measures that will, to an extent, replicate the support provided under current EU policy. Given that Scottish ministers backed the proposals for a south of Scotland NUTS 2 area, I ask them to continue that backing in the years ahead. That means that, when it is negotiating with the UK Government and developing future support to replace EU funding, the Scottish Government should not aim simply to protect the current level of funding received from the EU, but follow through on its support for a south of Scotland NUTS 2 area and ensure additional regional development funding for the region.

There is a reason why southern Scotland has a low GDP, and if the Scottish Government is serious about delivering on its commitment to regional cohesion in its economic strategy, tackling that low level of GDP is vital.

16:20

Ash Denham (Edinburgh Eastern) (SNP):

First, I put on the record that the First Minister has appointed me political liaison officer for the culture and external affairs portfolio.

I represent an Edinburgh constituency that is home to a mix of people, including many EU

nationals who work in our capital. Some of them have been moved to write to me over the past couple of months regarding our exit from the EU, so I thought that it might be instructive to hear from them in the debate.

One wrote:

"My partner is a German citizen but grew up in Greece and our baby son is a dual national, so thankfully he will always be a European citizen. The leave vote threatens my partner's right to work, my right to travel and our son's future."

Another wrote:

"My family is working hard and not taking any benefits, we are independent and professional people. Surely we are all one Europe where people's rights are respected?"

Another wrote:

"I have lived in Scotland for 10 years and am an employer with a small business. Overnight I found my whole life thrown up in the air. The Brexit vote and the fallout from it, have been frankly quite shocking. I found it hard to believe that the leave campaign won but I have found it even harder to believe that not a single politician with the exception of Nicola Sturgeon had a contingency plan."

Constituents of all ages, in many different jobs—from business owners, to academics and scientists, to chefs—have contacted me, and they are shocked and afraid. That is the human face behind Theresa May's statement that there will be no guarantees for EU nationals. Those people are law-abiding citizens, taxpayers and committed members of their communities. They are people with businesses and employees who depend on them, and they are people with mortgages and children in school. It is unacceptable that the UK Government could let this drag on unresolved for the next two years. EU nationals living here deserve certainty; they are people with lives—they are not political bargaining chips.

Brexit negotiations will be lengthy and complex, and those who say otherwise are doing the public a great disservice. Jürgen Hardt, a lawmaker who speaks on foreign policy matters for Angela Merkel's Christian Democrats, thinks that Britain should not expect special treatment on a policy to halt immigration. He said:

"There's no possibility to, for example, abridge the free movement of employees but to keep all the other freedoms"

that EU members share within the single market. Merkel and others in her Government have repeatedly warned that Germany will not let the UK pick and choose from the EU's benefits once the exit clause is triggered. The German Minister for Foreign Affairs, Frank-Walter Steinmeier, joined Hardt in saying that the EU's benefits come at a cost. He said:

"The UK can't rid itself of the duties of an EU member and at the same time keep the rights of an EU member. We

have to talk about this with great clarity on both sides of the English Channel.”

There will be two strands to the negotiations and the strand of negotiations to leave the EU may well be concluded within the two years after article 50 is triggered, but the other strand—negotiations on trade deals that are going to replace EU membership—will not, in my opinion, be concluded in that timescale. Many experts are now suggesting that those negotiations could take up to a decade to conclude.

What are other people saying about that situation? Theresa Villiers MP said:

“What we can be certain of is that the dire predictions of the Remain campaign have not come to pass and I don’t believe they will in the future.”

John Redwood MP said:

“I see no circumstances where the Brexit vote can cause a recession in the UK.”

However, let us be clear: Brexit has not happened yet. The full impact on our economy, on EU citizens and their rights, and on even more is yet to come, and we do not know what it will be. While those senior Tories are making what will no doubt turn out to be premature pronouncements, the economic implications for Scotland, which we should remember Scotland did not vote for, could be bleak.

In a recent report, the Fraser of Allander institute forecast that the Scottish economy’s rate of growth will experience a sharp slowdown over the next three years as a result of the decision to leave the EU. It states:

“The degree of impact will depend upon the nature of the revised trading agreement. Remaining in the Single Market is clearly a top priority as it will minimise the degree of dislocation, but even then, Brexit will have a detrimental effect on growth.”

However, if limiting free movement is a key plank of the UK’s negotiating stance—we believe that it will be—the institute noted—as others have—that

“securing a deal on access to the Single Market without freedom of movement is highly improbable.”

As it stands, no formal intergovernmental structure is in place to govern the involvement of the Scottish Government during the process. Scotland should be at the table through all stages of the negotiation, from the consultation stage that we are in at the moment through to the details of the deal and then on to implementation. Scotland must be allowed to be fully involved—

The Deputy Presiding Officer (Linda Fabiani): Please close, Ms Denham.

Ash Denham: —in order to protect Scotland’s interests. Theresa May must be held to her commitment to have Scottish engagement, and

that engagement must not be limited only to a brief consultation—

The Deputy Presiding Officer: Please close, Ms Denham.

Ash Denham: —at the beginning and no meaningful input thereafter.

16:26

Alexander Stewart (Mid Scotland and Fife) (Con): On 23 June, the people of the United Kingdom made the choice to leave the political structures of the European Union and to forge new, dynamic and bold relationships with Europe and the rest of the world. I was one of the Scots who chose to go down that route, along with 17.5 million people in Britain, and I look forward to the new relationships that we can forge through that opportunity.

The opportunities for Scotland and the United Kingdom that present themselves as we look beyond the European horizons are immense. Now we can begin to form new trading relationships with growing markets, while continuing to engage and do business with our friends on the continent.

Since we joined the European Common Market, the world has changed. In 1980, the European Economic Community’s member states accounted for 30 per cent of the world’s GDP, but now—despite the addition of new members—the European Union makes up only 6.5 per cent of the world’s output.

Of the United Kingdom’s 10 biggest non-EU trading partners, the European Union only has free-trade agreements with two of them. We are moving from a world of multilateral free-trade agreements, and we want to ensure that we do as much as we can in our country in order to do the best for the communities that we represent.

Instead of focusing on the current trade blocs, we have opportunities to be much more internationalist in our business approach. However, the SNP has—unsurprisingly—sought to use the referendum result to refuel its ambition for a separate Scotland. I unequivocally accept the fact that the majority of Scots voted to remain in the European Union, but the decision was taken by the United Kingdom, as the member state, and each and every person in our country had a single equal vote in the process.

Our new Prime Minister has made it absolutely clear that she and others will take into account Scotland’s views, and we would expect that to take place. I welcome Mike Russell’s appointment as Minister for UK Negotiations on Scotland’s Place in Europe. I have no doubt that he will take on that role and, as he has done in the past, play a very positive part in the process.

The Scottish Conservative and Unionist party shall play its part in the process, too. On Monday, Ruth Davison announced the creation of an advisory group that will consult on the impact of Brexit on Scotland. Adam Tomkins and I will play a part in that, along with other experts across Scotland from other fields.

The nationalists never cease to speak of their desire for more powers to be devolved here and for more decisions to be taken in Scotland, but in this particular case all they seem to want to do is prevent any more powers coming to Holyrood.

As a result of the new powers and the model on which we will operate, it is very clear that, whatever the form of our relations with the EU, we will have major opportunities. We in this Parliament should rise to the challenge and look at the innovation that will take place, rather than being stuck with the Brussels diktat.

There is no doubt that this is a time of change, and within change lies uncertainty. However, there is also no doubt but that our First Minister has ensured that she has altered the process by her posturing. That has been unhelpful. The Government has chosen to create a smokescreen to mask the failures of what is happening in Scotland.

Scotland's trading relationship with the United Kingdom is four times the size of our trading relationship with the EU. The most recent "Government Expenditure and Revenue Scotland 2015-16" figures suggest that an independent Scotland could face a £15 billion black hole. This separation has to be looked at.

In concluding, I say that I greatly anticipate the optimistic approach that we will take here in Scotland and look forward to the European Union becoming much more for all of us, in the opportunities that we have, the contributions that we make and the values that we see. We all need to step up to the mark and seize the opportunities in the new powers that our trading relationships will present to us. I look forward to being part of that process as we move forward.

The Deputy Presiding Officer: We move to the last of the open speeches. I call Stuart McMillan—you definitely have no longer than five minutes, Mr McMillan.

16:30

Stuart McMillan (Greenock and Inverclyde) (SNP): Thank you.

I welcome Mike Russell to his ministerial role and wish him every success.

Before I get into my speech, I want to ask Alexander Stewart what new powers he thinks will come to Scotland as a result of Brexit.

Alexander Stewart: Agriculture and fisheries are areas that we should be looking at and can make great capital from.

Stuart McMillan: Can Mr Stewart guarantee that such powers will come to this Parliament, or are the Conservatives just making that assertion because of the mess that they have got the UK into?

I hoped that by now we would have a better appreciation of what Brexit will actually mean. From what we heard from Mr Stewart, it is clear that no one has any idea whatever. It is unfortunate that we are no further forward; the lack of clarity and ever-growing confusion at UK level are increasing economic uncertainty across these islands.

At Prime Minister's question time last week, the Prime Minister twice refused to answer a simple but crucial question about UK membership of the European single market. The EU is the biggest trading bloc in the world, which is why it is so important to businesses and the economy, and not just in Scotland but throughout the UK. The Prime Minister's refusal to answer the question followed the farce of her Brexit secretary, David Davis, suggesting that it was "very improbable" that the UK would stay in the single market, only for Downing Street to tell us the next day that he had been expressing a personal opinion.

As the First Minister said today at the European and External Relations Committee meeting, during the Scottish independence referendum campaign the Scottish Government was continually asked for plan A, plan B, plan C and plans all the way up to plan Z. I recognise that it will be a challenge to manoeuvre us through Brexit, but the Tory UK Government does not even have a plan A.

I accept that the Conservatives were divided on Brexit, with some wanting to remain and some wanting to leave, but they appear to be gathering around the position of making Brexit work. I think that most people can accept that as a reasonable position. However, without a clear sense of what Brexit means and a pathway to it, how can we know what it will deliver for Scotland? What will Brexit deliver for my constituency of Greenock and Inverclyde?

The negotiations are crucial for the months and years ahead. There is no doubt that some Tory politicians are staying silent because it is clear that Brexit is making the UK smaller. Japan, Australia and the United States of America have said that the UK will go to the back of the queue for trade deals and that their economic focus will lie elsewhere.

Before the EU referendum we were promised, among other things, that leaving the EU would free the UK from Brussels red tape, but it now looks as though new trade deals will result in significantly more red tape for British companies that export to the EU, as exporters might have to obtain proof-of-origin certificates from the national customs authorities, which could increase the cost of trading with the EU by between 4 and 15 per cent.

Rachael Hamilton: Will the member take an intervention?

Stuart McMillan: I am sorry. I have only five minutes.

We cannot strike agreements with the 50 countries that are currently covered by EU arrangements until we have struck a trade deal with the EU, because everyone will want to know where we stand. It could take years for the UK to strike a trade deal with the EU. How many jobs will be lost as foreign investors are driven away? The Prime Minister needs to start thinking and talking about the issue.

No one knows how long the Brexit scenario will last. People have talked about 10 years, and even 20 years, because of the amount of secondary legislation that will be needed. Jamie Greene talked about the opportunities that Brexit will create; it will certainly create opportunities for people in the legal profession who work in European law, which will be a booming sector in the years to come.

I want to touch on education, particularly the Socrates Erasmus scheme, which I was part of when I was studying for my honours degree. I also qualified for some European social fund money when I was doing my masters. As I said, Jamie Greene spoke about the opportunities that are provided by Brexit. Through the Erasmus scheme, as a proud European I studied in France, Germany and Sweden. The opportunity that the free movement of people offered me is something that I do not want to end; I do not want to pull up the ladder behind me and prevent others from having the opportunity to study abroad. We are trying to encourage more people to go to university, particularly people from communities that are considered to be deprived. I do not know about the Conservative members, but I am not going to be one of the people who want to prevent their having the opportunity to study abroad. The additional financial costs and burdens that might be placed on people from deprived communities might well mean that they will stop thinking about going on to study and about taking that opportunity.

Although the EU is not perfect, it is an opportunity provider.

The Deputy Presiding Officer: You were cutting it a bit fine, Mr McMillan.

We now move to closing speeches. Daniel Johnson has up to six minutes.

16:36

Daniel Johnson (Edinburgh Southern) (Lab): Brexit means Brexit much as biscuit means biscuit. Mary Berry might be stunned at her relevance to such matters of state but, in the week in which we have learned of its split from the BBC, “The Great British Bake Off” has surely taught us something, which is that a biscuit may undoubtedly be a biscuit, but that tells us nothing about its type, flavour or size, about whether it will delight or disappoint, or about whether it snaps or is simply soggy. [*Laughter.*] I am glad that I have brought some humour and mirth to the chamber.

The same point is true of our future constitutional settlement. Yes, Brexit means Brexit, but what type and what quality of Brexit are we getting? The First Minister described the phrase as meaningless tautology, but I would go further and say that “Brexit means Brexit” is dangerous spin. Since the result of 23 June, we have had a summer of obfuscation, leaving the direction that the UK Government intends to take extremely unclear. That is serious, because the implications of the nature of our future relationship with Europe are measured in jobs: manufacturing jobs that rely on selling goods in the EU; the jobs of academics whose research funding is now uncertain; and the jobs in finance, insurance and law that rely on passporting rights to the rest of Europe. We need to know what sort of relationship the UK Government seeks with the EU and what kind of Brexit it seeks.

The SNP has a similar question to answer: what does it see as the future of Scotland? Forgive me if I am not quite clear on its position. At the beginning of the summer, a second referendum on independence was “highly likely”, but it then became “an option” and, more recently, there seems to have been an offer of support to Tory ministers who want a soft Brexit. The SNP has not been consistent on the issue of the single market either, and we do not know whether it is more concerned with membership or access—although Mr Neil seems to be clarifying that position for it.

Neither Government can hide behind the veil of its negotiating position. I can understand why the detail of what the Government seeks cannot be revealed in advance, but it is vital that we understand the broad outcomes and the overall shape and nature of a future deal that we are aiming for. Let me put it this way: if someone is buying a car, they certainly do not tell the salesman what their budget is or what they might

accept in terms of free servicing, but it tends to be a good idea to let the salesman know which car they want to buy. We need to know what access to the single market means.

Jackson Carlaw: Will the member give way?

Daniel Johnson: How could I refuse an intervention from Mr Carlaw?

Jackson Carlaw: Having spent 30 years in the retail motor industry, I assure Mr Johnson that what the customer can afford is crucial when they are buying a car.

Daniel Johnson: The customer is always right, and I am sure that no one ever walked off Mr Carlaw's car lot disappointed.

There have been many good contributions today. I think that the debate is best summed up by Joan McAlpine's speech, which pointed out the contradictions that we have seen from Conservative ministers in London, from confusion on the part of David Mundell to David Davies having to be reined in. In July, we had a promise of a joined-up UK position, and we need far greater clarity on the fundamental issues, such as the single market and free movement of people. However, I am disappointed by the way in which this debate was introduced by Mr Russell and Mr Carlaw—we started with history lessons and then moved quickly to wheeling out the constitutional artillery.

Let me say this to the Governments in both Edinburgh and London: we need clarity from the UK Government on its objectives and what it seeks, and we need clarity from the Scottish Government on what its minimum outcomes are.

We can have no more rattling of the possibility of future independence referendums with vague outlines of rationales and triggers of what might bring that about. The reality is that there is a cost of that uncertainty. It is, as I said earlier, measured in jobs. We have already seen the decline of foreign direct investment to Scotland and a decline in investment in property. We can afford that no longer.

I would also like to highlight the points that my friend Mr Findlay raised. We cannot have an uncritical dialogue about the future of the EU. Thirty-eight per cent of our fellow Scots feel left behind, and we have to address those issues. That highlights the fact that we may be focused on the European debate now but we have to focus on the realities of the important issues of housing, jobs and the future for all Scots.

Clare Haughey, Mairi Evans and Colin Smyth were right to point out that it will take years to develop future trade deals with other countries and that the uncertainty is already bringing a real cost in areas such as university research funding.

Finally, I will comment on Mr Neil's contributions; I was interested in what he analysed membership to mean, because that was not quite how I remember membership of the European Union being discussed two years ago. He was also right to set the challenge to his own Government of looking at what repatriation might mean and to ask that we get on with that preparation.

This country faces Brexit at least in part because of a lack of clarity. Those of us who believe in Europe failed to be clear about why it was important for jobs and prosperity; those who argued for us to leave failed to establish a clear alternative. Let us put an end to that lack of clarity. Let us seek assurances from both the UK and Scottish Governments so that we know what Brexit really means.

The Deputy Presiding Officer: Adam Tomkins, no more than eight minutes, please.

16:42

Adam Tomkins (Glasgow) (Con): No more than nine minutes, Presiding Officer—

The Deputy Presiding Officer: No more than eight minutes, Mr Tomkins—in fact, I think that I said no more than seven. [*Laughter.*]

Adam Tomkins: I have not been in politics very long, Presiding Officer, but it is already beginning to surprise me. I never thought that I would open a speech in the chamber with these words: I agree with a great deal of what Alex Neil said, although I suspect that we voted on opposite sides of both of the last two referendums. In particular, I agree with him that there is a great deal of muddy thinking in the chamber about the EU and Scotland's relationship with it—including, I am afraid, muddy thinking by the minister. The minister does not seem to be able to understand the difference between Europe and the European Union. Scotland's relationship with Europe and Scotland's identity as a European nation did not begin with the European Communities Act 1972 and it will not end with Brexit in 2016.

Let me try to bring some clarity to the debate. Scotland voted on 23 June that the United Kingdom should remain a member state. Scotland did not vote that it should remain; Scotland is not, and never has been, a member state of the European Union. The whole of the United Kingdom is going to leave the European Union because the United Kingdom as a whole voted for that. Alex Neil was refreshingly candid and honest about that.

Stewart Stevenson: Could the member tell us whether Greenland has ever been a state member of the European Union? When answering, perhaps

he might remember that it was able separately to deal with its membership status notwithstanding its lack of being a member state.

Adam Tomkins: As the member knows, Greenland is not and never has been a member state of the European Union, and I will come to reverse Greenlands in a few moments.

What Scots now want is for their two Governments to work together to secure the best possible Brexit deal for Scotland and for the United Kingdom. The evidence tells us that Scotland will be able to secure a preferential deal—such as perhaps a reverse Greenland model, as was alluded to—only if it co-operates, and is seen internationally to co-operate, with the United Kingdom Government. Why? Because it is the United Kingdom that is the member state, not Scotland. If this is too much of a constitutional law lecture for Tavish Scott, I will not apologise, because this is a political debate about constitutional law. Constitutional law and politics are deeply entwined at the moment, I am afraid.

Scottish ministers have talked about preserving Scotland's status in the European Union but Scotland has no formal legal status in the EU. To quote from a paper by Graham Avery for the European Policy Centre,

"In withdrawal negotiations, which are intergovernmental in character, the British government will represent the UK. Scotland will not have a separate voice. That is why EU governments say that only London is competent to conduct the negotiations".

The European and External Relations Committee made that point very forcefully in paragraph 10 of its report, which was published earlier this week and which we have quoted from in our amendment to the motion this afternoon. If Scotland wants a distinctive relationship with the European Union, it must first agree that approach with the UK Government.

The most pressing consideration, therefore, is that the Scottish Government co-operates in good faith with the United Kingdom Government in pursuing the best-possible Brexit deal for Scotland and the United Kingdom. As Jackson Carlaw has said, not belligerence but diplomacy will secure that; not sabre rattling about independence but collaboration; not renewed threats of another indyref but good faith and sincere co-operation with the UK Government. I know that my friend Mr Russell is capable of that, but we will expect him to deliver it.

Tavish Scott: All that may or may not be true, but when is the UK going to sort out its position?

Adam Tomkins: The next section of my speech, Mr Scott will be pleased to know, is called "What Brexit means". Let me start by explaining what I think Brexit does not mean.

Members: Ah.

Adam Tomkins: Lawyers always define what things are by reference to what they are not—members know that.

There is a fallacy—a false antithesis—that is gaining ground in Scottish public debate and which needs to be arrested. It is the assertion that there is some kind of binary divide between hard Brexit and soft Brexit. I know that the nationalists like to divide everybody into yes camps and no camps—they like binary divides—but it is not a binary divide between hard and soft Brexit, notwithstanding the earlier contributions from Ross Greer, Joan McAlpine and others.

The softest form of Brexit would be EEA membership. EEA membership would require, first, full participation in the single market, including full free movement of workers—so, in other words, not taking back control of our borders. Secondly, it would require substantial financial contributions to the European institutions—so, not taking back control of our national finances. Thirdly, it would require continued subjection to the supranational case law of the European Court of Justice, including its doctrine of supremacy over national legislation—so, not taking back control of our legislation either.

Lewis Macdonald: Will the member give way?

Adam Tomkins: Let me just finish the point about the EEA and then I will give way to Mr Macdonald.

The EEA was designed about 20 years or so ago as a way into the European Union, not as a way out of it.

Lewis Macdonald: I may have misheard Adam Tomkins a few minutes ago, but I am sure that he said earlier that Liechtenstein offered an example of a member of the EEA that had qualified free movement of people. Which position is it that he is putting forward to the Parliament tonight? Is he supporting membership of the EEA because it does or because it does not have that free movement, or is he rejecting it?

Adam Tomkins: EEA membership requires acceptance of all three of those points. It requires acceptance of free movement of workers, acceptance of a substantial financial contribution to the EU, and acceptance of the continued supremacy of EU law over national legislation. For a combination of all those three reasons, my personal view is that I do not think that EEA membership is consistent with taking back control.

Equally, however, being completely outside the single market would, in my view, be contrary to the British national interest. The critical question is not whether we are members of the single market, but

what kind of access to, or participation in, the single market we now want and on what terms.

The Deputy Presiding Officer: The member should close now, please.

Adam Tomkins: Last week, the First Minister castigated the Prime Minister—

Gillian Martin: Will the member take an intervention?

The Deputy Presiding Officer: I am sorry—Mr Tomkins has to close.

Adam Tomkins: Last week, the First Minister castigated the Prime Minister for refusing to answer the question whether she wanted the UK to be a member of the single market. That reveals not any ambivalence on the Prime Minister's part but the First Minister's lack of understanding of what is now at stake—

The Deputy Presiding Officer: You should close now please, Mr Tomkins.

Adam Tomkins: As I have said many times this afternoon, there is no such thing as membership of the single market. The EEA and the single market are not the same thing. The question is what kind of access to and participation in the single market—

The Deputy Presiding Officer: Mr Tomkins, you must close.

Adam Tomkins: —we now consider to be in the national interest.

The Deputy Presiding Officer: I call Fiona Hyslop. I would appreciate a wee bit of brevity if possible, cabinet secretary.

16:50

The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop): I will definitely take no longer than nine and a half minutes.

The enormity of the challenge of addressing the EU referendum vote cannot and must not be underestimated. This Government moved swiftly and decisively to ensure that Scotland's interests would be addressed, as did the Parliament. I welcome the European and External Relations Committee's initial report, having given evidence to the committee barely a week after the EU vote.

I said then that influencing the UK Government's negotiations before article 50 was triggered would be key. Our new Minister for UK Negotiations on Scotland's Place in Europe, Michael Russell, set out his role and focus in his opening speech, and he will meet David Davis tomorrow in London.

The Scottish Government needs to ensure that EU institutions and member states understand

Scotland's position and—importantly—that we understand theirs.

The First Minister met and talked with the President of the European Parliament; the President of the European Commission; the leaders of the main political groups in Brussels; Scottish members of the European Parliament; the UK's permanent representative to the EU; and the German Minister of State for Europe, Michael Roth.

The Minister for International Development and Europe and I have met ambassadors and ministers from 12 EU countries over the summer. In the past two weeks, I have met and spoken with the Taoiseach, Enda Kenny, and the Irish foreign minister, Charlie Flanagan, and I have also met the ambassadors of Finland, Denmark and Austria. In the next few days, I will be in Italy.

In each of those meetings, the Scottish Government has set out Scotland's position: that Scotland voted to remain; that we will work to positively influence article 50 negotiations by the UK Government; and that we are looking at all options to protect Scotland's interests.

The UK Government has said that the Scottish Government will be "fully involved" in preparations for negotiations and that article 50 will not be triggered until

"we have a UK approach and objectives for negotiations."

We will hold the Prime Minister and her Government to that commitment.

The Scottish Government has established the standing council on Europe so that we can look at all options in detail, in depth and with expertise.

Members have raised today a broad range of issues that must be taken into account in the negotiations with the UK Government. The debate has been important in setting out the expectations of members of this Parliament. I will highlight and respond to some of those points, with reference to the five key tests that the First Minister set out and to which Michael Russell referred in opening the debate: the democratic interest, the economic interest, social protection, solidarity and influence.

In a very considered speech, Lewis Macdonald spoke about the importance of remaining fully in the single market. Any relationship with the European Union that falls short of that risks reducing exports to the EU and the introduction of tariffs and other non-tariff trade barriers.

Adam Tomkins, in an intervention and in his closing speech, spoke about the kind of access to the single market that we want. There is a serious point here. The idea that the UK will be able to pick and choose aspects of that is something on

which we have to get a grip and take a reality check.

Joan McAlpine was correct to say that we cannot square access to the single market with prevention of freedom of movement—a point that Guy Verhofstadt, the European Parliament's negotiator, has also underlined.

The importance of the single market is not simply about access for goods; it is about all four freedoms, including the free movement of people. Ross Greer, on behalf of the Greens, set out the importance of the wider aspects of freedom of movement and the importance to this country in particular of migration and the impact that it has. Ash Denham spoke about the human face of what that means in terms of the position of EU nationals.

It is also about the people who work here in our key industries. Rachael Hamilton talked about the importance of that to the food and drink and tourism industries. I recently met a number of EU nationals at the Deanston distillery. In our tourism industry, 17 per cent of workers are from the EU, and there is a big impact in the food and drink industry, where about 16 per cent of workers are from the EU. Rachael Hamilton also talked about the importance of being able to get new markets post Brexit, but an important aspect is when and how those markets would develop. Even from the G20 discussions last week, it is clear that, for many countries, that matter will be dealt with after negotiations have been completed with the EU. Indeed, the UK might be at the end of the list.

Other issues have been raised. For example, Colin Smyth talked about the importance of agriculture and Stewart Stevenson talked about fishing. However, I want to move on to social protection. Our membership of the EU has brought us not only economic growth but, alongside that growth, social protections, which the EU has championed. It is important that we ensure that those continue. Clare Haughey and Neil Findlay highlighted the idea of an unshackled race to the bottom in the exploitation of workers. We will not tolerate any attempt to downgrade those social protections.

Mike Rumbles: We have rightly heard a lot about protecting the residence and employment rights of EU nationals living in Scotland, but I have not yet heard anything from the Scottish Government about Scots living abroad in the EU and how we want to protect their rights.

Fiona Hyslop: The First Minister was at the European and External Relations Committee this morning and I refer all members to her evidence on the Scottish Government's position.

Mairi Evans, in a thoughtful and well-informed speech, talked about the importance of

community-led projects and the different perspective of transnational funds. She also warned about the existing reticence to develop new projects. We should be mindful of that as we go forward.

The Government supports the arguments on solidarity. There are issues around climate change and, importantly, justice. Brexit puts at risk a range of co-operation in relation to civil and criminal law and it is imperative that our interests in Scotland are protected in any future arrangements. Indeed, before Brexit, the first test will be the UK Government's immediate view on the Europol regulations that are coming soon.

We must have influence on the decision that affects us. That will come down to future debates on the type of relationship that we can secure in the negotiations with the UK Government. On the democratic interest, the Scottish Government is taking forward the views of Scotland as presented in the EU referendum and we will ensure that Scotland's interest, as presented in the vote, is represented. Michael Russell will set out the Scottish Government's position in his discussions with the UK Government, the first of which is tomorrow. I think that everybody in the chamber wishes him well in that first discussion with David Davis. That is the spirit in which we enter into those discussions.

Given the patronising constitutional law lecture from Adam Tomkins and the obfuscating diversionary bluster from Jackson Carlaw, I say gently and politely to the Conservatives, a party whose reckless politics have led to the position that we are in, that condescension is not conducive to consensus or collaboration. If we are to move forward in the debates that we will have in the chamber on EU matters, let us try to have them in a spirit of respect and understanding.

Looking forward to the next steps, I refer all members to the *Official Report* of the First Minister's appearance today at the European and External Relations Committee. Today, we have also seen Jean-Claude Juncker's state of the union address. The clock is ticking and there are future events in the EU that will have a bearing on developments. The Bratislava summit, which will take place on 16 September, is significant as it is the first summit involving the EU 27, without the UK. Negotiations about the EU budget post 2020 are likely to start in 2018, which will focus the minds of the EU 27. There are French and German elections in 2017 and European Parliament elections are due in 2019.

Tavish Scott, in what I thought was a very good speech, reflected on the importance of looking at the process as one that will not be quick.

We are in uncharted territory. As Ash Denham pointed out, Brexit has not happened yet. We are at the start of the process to start the process of Brexit and we must work creatively, positively and constructively to shape a future that reflects and respects Scotland's interests. In this Parliament we have the political will to try to shape that future, and there is definitely the will in wider civic Scotland. This Government will work to explore all options and we will continue to update Parliament in doing so. In that spirit, I urge all members to support the motion.

The Presiding Officer (Ken Macintosh): That concludes the debate on the implications of the EU referendum result and UK negotiating position.

Before we move to the next item of business, members may wish to join me in welcoming to the gallery the Hon Antonio Jose Amelia MP, who is the Deputy Speaker of the Assembly of the Republic of Mozambique. [*Applause.*]

Business Motion

17:01

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-01429, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 20 September 2016

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Debate: Scotland's Economy, Responding to the EU Referendum

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 21 September 2016

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Justice;
Culture, Tourism and External Affairs

followed by Scottish Conservative and Unionist Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 22 September 2016

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.45 pm Members' Business

2.00 pm Parliamentary Bureau Motions

2.00 pm Scottish Government Debate: Reforming Local Taxation

followed by Scottish Government Debate: Securing Scotland's Position as the Perfect Stage for Events

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 27 September 2016

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 28 September 2016

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Education and Skills
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 29 September 2016

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
 12.45 pm Members' Business
 2.30 pm Parliamentary Bureau Motions
 2.30 pm Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time—[*Joe FitzPatrick.*]

Motion agreed to.

Parliamentary Bureau Motions

17:01

The Presiding Officer (Ken Macintosh): The next item of business is consideration of Parliamentary Bureau motions S5M-01430, S5M-01431 and S5M-01432.

Motions moved,

That the Parliament agrees that, in relation to First Minister's Questions on 22 September—

(i) in the first sentence of Rule 13.7.A1 "30 minutes" be replaced with "45 minutes";

and

(ii) in Rule 13.6.2 "6" be replaced with "8".

That the Parliament agrees the following parliamentary recess dates under Rule 2.3.1: 11 to 18 February 2017 (inclusive), 1 to 16 April 2017 (inclusive), 1 July to 3 September 2017 (inclusive), 7 to 22 October 2017 (inclusive) and 23 December 2017 to 7 January 2018 (inclusive).

That the Parliament agrees that Rule 9B.3.5 be suspended for the purpose of allowing the European and External Relations Committee to consider and report to the Parliament as the lead committee on the legislative consent memorandum on the Cultural Property (Armed Conflicts) Bill.—[*Joe FitzPatrick.*]

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

Decision Time

17:01

The Presiding Officer (Ken Macintosh): There are four questions to be put as a result of today's business. I remind members that if the amendment in the name of Jackson Carlaw is agreed to, the amendment in the name of Lewis Macdonald falls.

The first question is, that amendment S5M-01412.2, in the name of Jackson Carlaw, which seeks to amend motion S5M-01412, in the name of Michael Russell, on the implications of the European Union referendum result and United Kingdom negotiating position, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (South Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)

Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)

Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 29, Against 93, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S5M-01412.3, in the name of Lewis Macdonald, which seeks to amend motion S5M-01412, in the name of Michael Russell, on the implications of the EU referendum result and UK negotiating position, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)

Golden, Maurice (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (South Scotland) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Thomson, Ross (North East Scotland) (Con)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)

Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Cole-Hamilton, Alex (Edinburgh Western) (LD)
 McArthur, Liam (Orkney Islands) (LD)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Scott, Tavish (Shetland Islands) (LD)

The Presiding Officer: The result of the division is: For 112, Against 5, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-01412, in the name of Michael Russell, on the implications of the EU referendum result and UK negotiating position, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)

Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (South Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)

Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 87, Against 34, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament recognises the importance of EU membership to Scotland and welcomes the Prime Minister's assurance that she will not trigger Article 50 of the Lisbon Treaty until there is an agreed UK approach and objectives for negotiations; agrees that Scotland's interests are best served within the EU and that a key objective must be for Scotland and the UK to remain inside the EU Single Market; supports the Scottish Government participating fully in all negotiations between the UK Government and the EU in the run-up to, and during, the Article 50 process, while consulting and reporting back to the Parliament on its objectives and priorities, and supports an approach that protects Scotland's democratic and economic interests, social protection, the principle of solidarity and the ability to influence decision-making within the EU.

The Presiding Officer: I propose to put a single question on Parliamentary Bureau motions S5M-01430, S5M-01431 and S5M-01432. If any member objects, please say so now.

There being no objections, the next question is, that motions S5M-01430, S5M-01431 and S5M-01432, in the name of Joe FitzPatrick, be agreed to.

Motions agreed to,

That the Parliament agrees that, in relation to First Minister's Questions on 22 September—

(i) in the first sentence of Rule 13.7.A1 "30 minutes" be replaced with "45 minutes";

and

(ii) in Rule 13.6.2 "6" be replaced with "8".

That the Parliament agrees the following parliamentary recess dates under Rule 2.3.1: 11 to 18 February 2017 (inclusive), 1 to 16 April 2017 (inclusive), 1 July to 3 September 2017 (inclusive), 7 to 22 October 2017 (inclusive) and 23 December 2017 to 7 January 2018 (inclusive).

That the Parliament agrees that Rule 9B.3.5 be suspended for the purpose of allowing the European and External Relations Committee to consider and report to the Parliament as the lead committee on the legislative consent memorandum on the Cultural Property (Armed Conflicts) Bill.

Reusable Nappies

The Deputy Presiding Officer (Christine Grahame): The final item of business today is a members' business debate on motion S5M-00634 in the name of Ivan McKee, on reusable nappies and the Scottish baby box. The debate will be concluded without any questions being put.

Motion debated,

That the Parliament understands that it takes a disposable nappy 200 years to degrade and that, in Scotland, 160 million such nappies are sent to landfill every year at a cost of several millions to local authorities; understands that the methane gas from these products has an adverse impact on the country's emissions targets; believes that, although initially expensive, reusable nappies have significant advantages over disposables, as overall they cost parents far less and have negligible landfill implications; considers the Scottish Baby Box to be an excellent initiative and notes the view that the scheme's benefits could be further enhanced and promoted by the inclusion of reusable nappies to encourage ethical consumerism and yield real cost savings for local authorities and families, particularly poorer families, and understands that, among the manufacturers of reusable nappies in Scotland is Tots Bots, which is an award-winning company based in the Glasgow Provan constituency.

17:07

Ivan McKee (Glasgow Provan) (SNP): First, I thank all members who have indicated their intention to speak tonight or who have come to listen to this important, and potentially transformative, debate on reusable nappies and the Scottish baby box.

Although the motion brings together a range of seemingly diverse topics, it nonetheless sets out what could be significant steps forward in the areas of environmental protection, tackling inequality, business innovation and inclusive growth. It offers an opportunity to make significant progress on our environmental agenda through reducing landfill; it could contribute to tackling the poverty trap phenomenon in which lower-income families, by virtue of not having access to cash in hand at the outset, end up paying more for goods or services in the long run; it presents an opportunity for local small and medium-sized enterprises and businesses, which are the backbone of our economy and are critical to our Scottish growth strategy, to innovate, expand and create jobs; and it contributes to the inclusive, positive and potentially game-changing centre-piece policy that is the Scottish baby box.

Before I address each of those issues in turn, I will give some background. Reusable nappies come in a wide range of options, but they are basically thick, padded pants; they have a waterproof cover and are sealed and fastened with Velcro or poppers. They go straight in the washing

machine and are dried on a washing line. One child would use a stock of about 20 nappies from birth to potty training at a total cost of between £200 and £300, compared with around £750 for disposable nappies over the same time period. Today's reusable nappy systems present a modern, sustainable option for parents that is far from being the smelly, cumbersome chore that it was in the past. Many local authorities already provide starter kits for new families, and voluntary groups up and down the country have been working for years through, for example, nappy libraries to engineer a shift towards widespread use of reusables.

The environmental issues are stark. Every year Scotland sends 3.3 million tonnes of waste to landfill, costing local authorities—and ultimately taxpayers—several million pounds, and any steps that we can take to reduce those costs and the significant impact of landfill on our planet are to be welcomed.

Disposable nappies comprise 79,000 tonnes or 2.5 per cent of that landfill waste, and they take at least 200 years to degrade in the soil. The Environment Agency estimates that the disposable nappies used over a baby's first two and a half years of life produce 630kg of greenhouse gas. They typically comprise of materials that are designed to soak up moisture, which adds to the waste, and they are wrapped in plastic bags, which slow down the degrading process and compound the impact on the environment. The environmental benefits of reusable nappies are therefore clear.

We are all familiar with the phenomenon of poverty-trap pricing whereby things cost more for those who have the least. It is a significant driver of the persistence of inequality in our society, and any steps that we can take to reduce it will go a long way towards securing our policy objective of reducing inequality. The cost of a full set of reusable nappies can be as much as £300, depending on the solution and product chosen by the family. For hard-pressed families that are facing the many and often unexpected costs that a newborn can bring, that is a lot of money, and it is required up front. As I have said, the cost of providing disposable nappies over the life cycle of a baby's usage is estimated at around £750. In practice, however, that favours the purchase of disposable nappies, as the family needs to find only £5 at a time to get through the next few days. If implemented correctly, the nappy solution in the Scottish baby box has the potential to remove that poverty trap impact from young families.

The creation of manufacturing opportunities and support for local small businesses lie at the heart of our economic growth strategy for Scotland, and encouraging and rewarding innovation is a key

part of that agenda. Shortly before I was elected, I was approached by a local business that, in true entrepreneurial fashion, had identified an opportunity to innovate and create more jobs. The locally owned and managed business manufactures reusable nappies in a factory in my constituency and over the years has grown to employ 60 staff—mainly female—in a deprived area of Glasgow. Now the winner of multiple awards, the business is enjoying some success in exporting—a key target of our Scottish growth strategy—having supplied nappies to the Finnish baby box. It was excited to hear about the SNP Government's commitment to implementing a Scottish baby box if re-elected, and it is ready to expand its operation to meet demand if selected to do so.

The Government has made reducing inequality a priority for the Parliament, and ensuring that each child is able to receive a baby box when they are born is a tangible expression of that aim and will play a central part in achieving that ambition. The baby box, which is similar to a long-standing and successful model in Finland, will reduce inequality by ensuring that children have the best possible start in life all over Scotland. The scheme in Finland has contributed to a fall in infant mortality from 10 per cent to 0.2 per cent, which is one of the lowest rates in the world. It shows just how successful innovation can be, and it is great to see the Scottish Government looking beyond our borders for ideas that can work in Scotland.

Despite its great successes, though, the Finnish model is open to improvement and would benefit from some home-grown Scottish innovation. The Finnish baby box provides a single reusable nappy. Although that is useful in introducing the concept of reusable nappies to a young family, they are still required to make use of significant numbers of traditional disposable nappies or purchase their own set of reusables when that single nappy is in the wash. A design solution has been developed locally in which, for the price of the single reusable nappy in the Finnish box, a set consisting of an outer cover and six or eight washable inserts can be provided, which gets the family started in using reusable nappies habitually. I encourage the Scottish Government to engage with manufacturers to ensure that the Scottish baby box provides a solution that exceeds that of the Finnish baby box by enabling families to make a real and decisive rather than token move away from the use of disposable nappies.

Progress is a mixture of steps and leaps, of continuous improvements that build on each other to nudge us in the right direction and leaps that have the potential to move us forward almost overnight, changing cultural norms and resolving at one stroke problems and challenges that could otherwise take years of incremental progress to

address. Every once in a while, we are presented with an opportunity to drive a significant societal change; today we are fortunate enough to be presented with two such opportunities. The baby box provides the opportunity to deliver significant tangible benefits to young families, as the Finnish example shows, and we also have an opportunity to drive an overnight change in what becomes the norm for the use of nappies in this country.

I urge the Scottish Government to engage with the innovators, enable the step change that we wish to see and make progress on many fronts with one simple policy decision. Let us make the Scottish baby box—an outstanding innovation in its own right—even better.

17:14

Maree Todd (Highlands and Islands) (SNP): I thank Ivan McKee for raising this issue. As a mum of three who has used washable nappies and an antenatal teacher who has encouraged many other parents to try them, I appreciate the opportunity to take part in the debate.

Let me begin with the baby box. It is a fantastic idea that says loudly and clearly that we in Scotland believe that every baby should have a good start in life. It says that we value our children, and it ensures that all parents in Scotland, regardless of income or wealth, can provide their baby with the essentials. Including reusable nappies in the baby box is a really great idea, and it would show that we value our environment in Scotland, too.

I have mentioned that I used reusable nappies, but I have to admit that it took me a while to try them. I felt unsure about the outlay. What if they turned out to be more hassle than they were worth? Once people try them, however, they find using them much easier than they might have imagined. As Ivan McKee has said, modern washables are really easy to use; they are easy to wash and dry, and they are also easy to put on the baby, because there is no safety pin involved. They are kind to the baby's skin, and they come in a range of colours and patterns, so they look pretty cute, too. Most people like them.

There is a big up-front cost, but they save people money in the longer term. Despite the washing costs and the wear and tear on the washing machine, the amount that families can save ranges from several hundred pounds up to about £1,000. Including reusable nappies in the baby box could bring down the cost of being a parent, leaving families with more money in their pockets.

That alone would make it worth while, but the environmental benefits are great, too. Less rubbish going into the bin means less waste going

to landfill. Moreover, because the solid waste gets flushed away into the sewage system, reusable nappies have to be healthier for everyone.

Everyone agrees that disposable nappies take centuries to biodegrade—although here I must disagree a little with Ivan McKee, as I think they actually take 500 years to do so. With figures between 200 years and 500 years being bandied about, the fact is that, if we had been using disposable nappies when Scotland was an independent country, before the union was even conceived of, they would still be biodegrading around us now. Most babies go through more than 4,000 nappy changes before they are potty trained. In the United Kingdom, 8 million nappies are changed every day and disposable nappies make up 2 to 4 per cent of landfill. Their use is clearly not sustainable in the long term.

Scotland is committed to becoming an environmentally sustainable country, and by including reusable nappies in the baby box, we would offer parents and families all over Scotland a win-win option. We would give them an opportunity to save money and an opportunity to help Scotland become an environmentally sustainable country.

The Deputy Presiding Officer: The member has just given me a new way of looking at history, now that I know how long it takes for a disposable nappy to biodegrade.

17:17

Miles Briggs (Lothian) (Con): I, too, congratulate Ivan McKee on securing this evening's debate and on bringing his first members' business debate to the Parliament.

I am sympathetic to the sentiments that have been expressed by Ivan McKee and other members who have legitimate concerns about the number of disposable nappies that are being sent to landfill each year and the real impact on our environment. I am aware of various estimates of the percentage of domestic waste that used disposable nappies make up, including some suggestions that they form as much as 10 per cent of black bin bag waste. It is clearly a significant issue and one that is impacting on Scotland meeting its recycling targets.

It will take time and effort to persuade parents and parents-to-be to look at alternatives to disposable nappies, but it is entirely right for Ivan McKee and others to highlight the fact that modern, viable, washable alternatives to disposable nappies exist, including those with integral nappy linings. I, too, commend the success of TotsBots in Ivan McKee's constituency.

As well as work to promote the positives of reusable nappies, I am aware of some good work that has been done to trial the recycling of disposable nappies and other absorbent hygiene products. I would be interested to hear from the minister when he sums up any updates on that and whether the previous pilots are likely to be taken forward.

Scottish Conservatives remain sceptical about the evidence base for the universal baby box policy and question whether the expenditure should be focused more on the already pressed resources for vulnerable parents and those in the lowest income groups. However, given that the Scottish Government has expressed its determination to proceed with the policy, I would be interested to learn about what advice for parents will be included in the box. In particular, I would like to know specifically what advice will be provided on how to address baby and toddler dental ill health.

In a recent parliamentary written answer, I was informed that around 4,000 children under five in Scotland are having teeth extracted every year as a result of decay. The figure has remained stubbornly at that high level for more than a decade. That is clearly an unacceptable situation, and I believe that information on dental health should be included in the baby box. Parents should be encouraged to register their newborn child with a dentist as soon as possible, as well as to brush their baby's teeth with fluoride toothpaste as soon as the first milk tooth breaks through.

I have asked a number of parliamentary written questions on the proposed contents of the baby box but have not yet received an answer. I would like to find out how the policy is to be developed and what, broadly, will be included in the box. An Edinburgh constituent of mine who is an English teacher recently contacted me regarding her positive suggestion that the box should contain a good-quality baby book. She suggested that that would make a statement about our country's belief in literacy and would show parents that it is never too early to talk to and read to their baby. Will ministers actively consider that idea?

I welcome the debate about how we can reduce the impact of disposable nappies on our environment, and I hope that progress can be made to reduce their use. I also urge the Scottish Government to make sure that the baby box contains practical and clear advice on how parents can ensure that their babies have the healthiest possible start in life.

17:21

Gail Ross (Caithness, Sutherland and Ross) (SNP): I, too, am delighted that Ivan McKee has brought this debate to the chamber today.

Like Maree Todd, as a user of reusable nappies with my son, I understand the benefits and the challenges of using them. I was first introduced to reusable nappies in the maternity ward at Caithness general hospital. The midwives there are excellent: they are patient and kind, and they explained everything that I needed to know. I then contacted the Highland real nappy project to ask for more information. Its staff travel around the region meeting pregnant ladies and new mums to answer any questions about using cloth nappies. They give out a starter kit that includes a nappy pail, a couple of different types of nappies, waterproof covers and liners.

As Ivan McKee mentioned, real nappies have come a long way since the terry towelling squares and big pins of the past. A new mother no longer has to struggle with a squirming bairn while trying to fold the nappy correctly and worrying where the pin is going to end up. The nappies are nappy shaped, and have Velcro or popper fastenings and removable inserts that are washable or biodegradable.

Users of real nappies have to be prepared for a lot of washing, but that is a small consideration given the benefits of using them. My son had zero nappy rash in the two years that we used them. They are much more cost-effective in the long term, and the initial outlay does not have to be that much, as there are a lot of second-hand bundles for sale on the internet. As has been mentioned, they are better for the environment and they greatly reduce landfill. My old neighbour was delighted to regularly see a line full of nappies drying on a nice day.

By offering new parents a baby box, the Scottish Government is showing its commitment to early years and preventative spend. We all know that giving our children the best start in life prevents future social difficulties and saves Governments millions of pounds in later interventions in health and justice. Nobel prize winner James Heckman states:

"Early interventions ... have much higher returns than later interventions such as reduced pupil-teacher ratios, public job training, convict rehabilitation programs, tuition subsidies or expenditure on police."

Finland's baby box has been providing support for mothers and babies for more than 75 years. In that time, as Ivan McKee mentioned, infant mortality rates have dropped considerably, and the social benefits are almost immeasurable. Here is a little taster of what Finland's baby box provides and what we could think about providing:

mattresses, undersheets, duvet covers, snowsuits—we need those in Scotland—hats, mittens, booties, knitted overalls, socks, bodysuits and romper suits, all in unisex colours and patterns. Towels, hairbrushes, baby thermometers, nappy cloths, toothbrushes, muslin squares, picture books, reading books, teething toys, bra pads and condoms can also be included.

In 2006, real nappies were reintroduced in the Finnish baby box, and the baby bottle was left out to encourage breastfeeding. I make the point that even breastfeeding mothers sometimes do things that do not involve their little ones. When I was breastfeeding my son, I attended three weddings throughout the summer. I would not have been able to do so if I had not expressed milk and kept it in reserve for such occasions, and the use of a bottle was essential for the baby-sitter. I suggest that items such as a breast pump, little freezer bags for milk and sore-nipple cream should be included.

I recently learned that a baby box has already been distributed in one instance in Scotland. Thanks to the kind-hearted nurses in the theatre department recovery room of Dumfries and Galloway royal infirmary, a nurse received her own baby box as a gift when she went on maternity leave. The excitement that it caused brought together the mother-to-be, friends and staff members and is proof that a baby box, which should include reusable nappies, not only provides much-needed material goods but promotes wellbeing and social contact and should be welcomed by all sides of the chamber.

17:25

Claire Baker (Mid Scotland and Fife) (Lab): I am pleased to speak in the debate and I congratulate Ivan McKee on securing it. When the statistics on disposable nappies are presented, they can make us wish that the nappies had never been invented. The average baby gets through 5,000 nappies, and that results in some 400,000 tonnes of waste going to landfill in the UK every year, which is 2 to 3 per cent of all household waste and a huge cost to our local authorities. Disposable nappies also present challenges to household waste collection as councils move to smaller bins and less frequent collections, which are a typical subject for complaints from constituents.

The manufacturing process for disposable nappies uses large volumes of pulp, paper, plastic and other raw materials, as well as a significant amount of water and energy. Most disposable nappies are not very biodegradable—many reports suggest that they make up 30 per cent of non-biodegradable waste and that a nappy that is thrown away today will not decompose until the

25th century. There are also concerns about contamination in landfill, and such issues are not set to decrease, as many companies are looking to expand into new international markets that do not have a tradition of using disposable nappies.

However, many parents would not wish that disposable nappies had not been invented. They have become a part of modern parenting and, as the demands of parenting become a reality, disposable nappies are one less thing to worry about. To change that situation significantly is a challenge.

I chose to use real nappies for my daughter and I was probably a typical example of somebody who makes that choice. I suspect that the Parliament has a higher percentage of people who use such nappies than the average workplace has. I was environmentally aware, I had a good income, I was a more mature parent and I did the research. For some people, the issue is not clear cut—there are arguments that the production, washing and drying of real nappies take us to the same place as disposables do and that, although the costs are the same, the initial outlay is much more difficult at a time when money is tight. It is argued that the energy costs of producing disposables are matched by the energy costs of washing and drying real nappies, which can be too expensive for some families. However, on balance, I accepted the argument that real nappies were the more environmentally responsible choice, which I was fortunate enough to be able to make.

Real nappies could be an option on a lower income, and people save money with every subsequent baby. Almost every new parent receives lots of baby clothes—more than the baby can possibly wear—so requesting a real nappy rather than an outfit might be an option, but that needs organisation and commitment to the idea.

Having support and advice is important. Given the motion for the debate, I am thankful that I used TotsBots nappies, but I was also grateful for the advice from the online Nappy Lady. I had friends who were using real nappies, and I lived at that time in Edinburgh, which has shops that have a selection of nappies and give advice.

If parents are to make such a decision, having advice and support on products is important. That is one reason why I have reservations about the proposal to include a real nappy in the baby box. I am not sure that the decision to use real nappies is taken when a baby is born. I had to plan for and be committed to using real nappies. If the baby box contained a real nappy, I would be concerned that it might be unused or, what is worse, end up in landfill. However, I am interested in and open to the suggestions that have been made.

The baby box has an interesting history. It was introduced in Finland in 1938 for low-income families before it was rolled out to everybody in 1949. In the 1930s, Finland had a high infant mortality rate. Legislation was adopted to introduce the box, for which mothers-to-be had to visit a doctor or a municipal prenatal clinic before the fourth month of pregnancy. That steered women into the emerging welfare system and national health service, which improved the health outcomes of babies and families.

Scotland has a very different starting place, so we should think about what the baby box is trying to achieve. An increase in the use of real nappies would need a cultural change, and perhaps a voucher in the box with contact details of a local network would be a sensible way forward. In my area, the Fife real nappy network, which is run by volunteers, provides advice and support for parents.

I am very supportive of using real nappies and encouraging parents to make that decision, and I agree that there is potential that should be considered for the baby box to play a role in that and to encourage more parents to think about making the change.

17:30

Alison Harris (Central Scotland) (Con): I am delighted to speak in this debate and to add my congratulations to TotsBots, which is an innovative and award-winning company that is proud to advertise the fact that all its products are made in the United Kingdom—indeed, as the mover of the motion pointed out, they are made in the great city of Glasgow.

Even a quick look at the company's website will show how reusable nappies have moved on from the days when my children were babies. Pin-held, leaking terry towelling was the option, and a course in nappy origami would have been very helpful. Now, colourful, shaped and easy-to-fit reusable nappies offer a fashionable and practical alternative to disposables. I hesitate to call any nappy cute, but some modern reusables come pretty close to that.

As a mother, I appreciate that the time constraints, needs and resources of busy parents as well as the requirements of individual babies can vary enormously. The pace of life continues to quicken, and the convenience of disposable nappies is a huge benefit to many parents. Because every family has different circumstances, I strongly believe that the choice of nappy is best left to individual mums and dads, but I have no issue with—indeed, I encourage—the advantages and disadvantages of both types being properly

aired in order that parents can make an informed choice.

The motion is correct to highlight the environmental issues that are raised by disposable nappies. An astonishing 8 million disposables are used in the United Kingdom every day. They now comprise 4 per cent of all materials that are sent to landfill and they take decades to degrade, but upwards of 90 per cent of parents still use them. They are the default nappy of choice and figures show that they have even higher usage among lower-income families. That is despite the fact that, over a typical child's use of 4,000 to 5,000 nappies, disposables are typically £500 more expensive than reusable nappies, depending on the washing and drying method that is used.

The choice for many families may not be one or the other, of course; there could be a combination of the two types of nappy, depending on daily circumstances.

I mentioned earlier that reusable nappies are a world away from what they used to be way back when I had my children. However, I wonder whether every new parent or, indeed, nursery appreciates that fact.

I will move on to the proposed Scottish baby box. The idea originated in pre-war Scandinavia. The box could well be used to introduce modern, reusable nappies to a new generation of parents in Scotland, particularly parents whom figures show are the most resistant to abandoning disposables. A case can be made to make best use of the available resources by especially targeting the groups that would benefit the most. The reported cost of a box is £100. Some of the savings that are made by targeting those groups could be used to address reported concerns about how stable the boxes may be for the baby to sleep in and to improve the provision of health and nutrition information, particularly in areas that have low rates of breastfeeding as well as low usage of reusable nappies.

I hope that those suggestions can be looked at, but they are in no way meant to detract from the laudable aims of the motion, which I am very happy to support.

17:34

Gillian Martin (Aberdeenshire East) (SNP): The baby box has multiple opportunities to engender a behavioural shift in many areas that will benefit in a whole range of desirable outcomes. Its contents are a huge responsibility. I am often reminded that space in it is finite when I speak to the minister with yet another suggestion about what can be included in its contents. The box is not the size of a washing machine and it is not a baby wardrobe—it is a baby box.

In short, what we put in that box has to count and has to earn its place there. The proposal for reusable nappies to take up some of that precious space hits a number of targets. The most compelling one for me is the cost issue for families, particularly when so many new families are struggling to make ends meet. We have heard figures from other members, but the figure that I got for the cost of using disposable nappies over two and a half years was £800, which we can compare to the cost of using reusable nappies. If a family invests in a starter pack of around 20 reusable nappies and we take into account the cost of putting them in the family wash, we are looking at a total cost of around £205 a year, which therefore means a significant saving. As Claire Baker said, the nappies can be used for successive babies, so it is a one-time outlay regardless of how many children a mother has.

I am going to fess up here: I did not use reusable nappies, because I could not afford that outlay when I had my son. I think that putting them in the baby box will offer a significant change for mothers.

For the vast majority of parents, the issue of nappies comes down to “How much?”—that is, how much money and how much hassle is involved. I have talked about the money side, but when new parents are tired, as they absolutely are all the time, the hassle question is just as important. I have spoken to a good few parents over the years who have used reusable nappies and they are brutally honest in saying that it is easier to chuck a nappy in a bin and take the next one from a pack. However, as with anything worth doing, patience pays off and eventually parents fall into a routine with reusable nappies. Reusables require a bit of a mindset change, but once parents start using them, as Maree Todd said, they get used to them and find them as just as convenient as disposables.

The resistance to using reusable nappies is often inherited, and stories of pans boiling terry-towelling nappies, which Alison just mentioned—Alison Harris, that is—are off-putting. It is a bit—

The Deputy Presiding Officer: I just say to members—I was trying to be gentle about this—to use other members’ full names for the *Official Report*, which cannot refer to just “Alison”, for example.

Gillian Martin: I know. That is why I said “Alison Harris” straight after I said “Alison”. Thank you.

The Deputy Presiding Officer: Okay.

Gillian Martin: By including reusable samples in a baby box, we are providing a chance to shift public habit and opinion, even if there is combined use of disposables and reusables, as has been mentioned. Other nations that have provided

reusable nappy samples, such as New Zealand, have seen a 95 per cent take-up of so-called real nappies, which might answer some of Claire Baker’s concerns.

Thinking about what is in the baby box in Finland prompts me to shoehorn another item on to my wish list in the hope that it would not take up too much space in the baby box. There is also an opportunity to use the baby box to protect a new mother’s health, so I cannot sit down without mentioning what I think is an important public health issue, which is access to maternity pads for new mums. I think that they should have a place in the baby box too.

For all new mothers, changing maternity pads frequently in the days after childbirth is really important. For example, 70 to 80 per cent of new mums get tears in their perineum during childbirth and the resulting stitches must be kept clean in order to prevent infection. Sepsis is a very real danger for new mums and is the leading cause of maternal death in the UK, and wound infection is responsible for around 15 per cent of sepsis cases. Of course, sepsis is an extreme outcome, but lack of healing due to infection can also present a range of health issues for the new mum that can lead to her feeling generally unwell at an already vulnerable time and a key point in a newborn’s life. Again, it is also a poverty issue. If a mum is struggling financially, she will go without personal items and use what means she has to provide essentials for the baby and might not look after herself.

I am sorry, as I am running over time, but I hope that my points are well made.

The Deputy Presiding Officer: You have indeed made very good points.

17:38

Mark Ruskell (Mid Scotland and Fife) (Green): I, too, welcome the debate and congratulate Ivan McKee on securing it. It is a timely debate because we have a Scottish Government strategy on a circular economy and the early intervention policy of the baby box, which is incredibly welcome. I think that real nappies can make a valuable contribution to the success of both those policies.

In the early noughties, we saw growth in real nappy networks, which provide support and advice to families. I was involved in the launch of the Perthshire one, which I think has been very successful. On the back of that, we have also seen the growth of a number of social enterprises that provide laundry and collection facilities for parents but also work in other areas, such as the reuse and recycling of toys, children’s furniture, clothing and books, saving parents money and

diverting waste from landfill. I pay tribute to a number of such social enterprises in Scotland that are running today: Merry-Go-Round and Kinder Handl in Glasgow, Everything Baby in Inverness and Good Green Fun in Stirling, which has had trailer loads of stuff coming from the Ruskell family loft over the years, only for trailer loads of stuff to come back to us again.

We used real nappies successfully with our two sons. My eldest son temporarily developed a skin condition, so we went back to using disposables. At that point, I noticed a big impact on our bin. When we used real nappies, the bin was half-full on collection day; when we went back to using disposables, it was overflowing again. The difference was dramatic to see. As Claire Baker said, that is an issue today because councils are significantly increasing recycling and reducing landfill, as well as reducing the collection cycles and the size of the bins. The space for landfill is rightly getting smaller and smaller.

A proposed solution is to recycle nappies. Several years ago, a pilot was run in Stirling that involved a collection system. Plastic can be recovered. Amazingly, it can be made into garden furniture, among other items. That is probably a better option than landfill, but it is not an effective waste minimisation measure; neither is it the best environmental option. With the pilot, the nappies were being shipped down to the midlands of England, and that had a clear environmental impact.

The promotion of real nappies has slipped over the past couple of years. I heard Gail Ross's very positive experience in the Highlands, but there are issues with nurseries and the national health service providing very patchy support for the roll-out of real nappies. That is a shame, because the technology is improving. Compared with 10 years ago, the real nappies that are on the market are less bulky, have better moisture retention and are easier to wash.

The baby box is a fantastic idea. It is perhaps a key point where we can influence behavioural change. Indeed, whenever our life circumstances change, there is an opportunity to influence behaviour. Many members have spoken tonight of the baby box's impact in Finland and how it has slashed mortality rates there. Another interesting thing about the Finnish example is that parents are offered a cash equivalent—they can take €140 in cash or the baby box—but 95 per cent of parents go for the baby box. That underlines the strong social welfare culture in Finland.

Parents receive goodie bags from New Parent Support, the National Childbirth Trust and the NHS, but it makes sense to include real nappies in the baby box and to offer that programme of support and encouragement for new parents. I am

very interested to hear what the minister's response will be not just on real nappies and the baby box but on the wider social economy of which that is a part, and on how we can support organisations to reuse and to repair toys and, critically, to save hard-pushed parents money.

The Deputy Presiding Officer: I call on Mark McDonald to respond. Minister—you have seven minutes. Perhaps you will tell us whether we will require a bigger baby box, given all the suggestions that have been made tonight.

17:42

The Minister for Childcare and Early Years (Mark McDonald): Thank you very much, Presiding Officer, I thank Ivan McKee for bringing this important issue to the chamber today.

Through the numbers of members who have taken part, the significance of the baby box and its contents has been highlighted. The First Minister announced the plan for the baby box in her priorities for Government speech to Parliament on 25 May. As members have said, it builds on the Finnish model. We estimate that the policy will cost about £6 million a year to deliver, and we are looking for the box to be a celebration of childhood and a much-valued gift from the Government in recognising the importance of the task of parenting. In addition, there will be a strong focus on maternal and infant health and it will be, given the universal offer, a robust statement of equality for all our citizens from birth.

I will go through issues that members have raised. I probably cannot cover everything that has been said because we would be here for quite some time—I know how strict you are on the timing of debates, Presiding Officer—but I will do my best to cover some of the main issues. I give a commitment to members that if they write to me about any issues that they feel I have not had the chance to respond to, I will be more than happy to provide a full response.

The Deputy Presiding Officer: I am advised that I can give you another two minutes, if you wish them.

Mark McDonald: Let us see how we get on, Presiding Officer.

Ivan McKee set the tone of the debate and was correct in highlighting the issues that real nappies can address in relation to the environment and support for small and medium-sized businesses. He also mentioned the poverty trap. A number of members compared the up-front cost of reusable nappies with the cost of disposables, which is important. Disposables cost more in the longer term, but are not paid for up front, all in one go. Claire Baker made the important point that when

we measure the cost of reusable nappies we should include the associated energy costs of washing and drying nappies. In many households that we want to lift out of poverty, fuel poverty is a real consideration that we must bear in mind. However, Ivan McKee made the point well that sometimes the up-front cost masks the lifetime cost.

Miles Briggs had a number of asks. Members will be aware that I cannot commit to putting everything that they asked for into the baby box; what I can say is that members' suggestions will be fed into the Government's considerations. On the point about dental decay, we have the good childsmile programme and we will consider how best to support parents to play an active role in looking after their children's oral health. I want to be careful not to end up with a baby box that is full of pamphlets and leaflets that offer advice and support, which parents might just pick up and then put down, as often happens. We want to support parents to take a different approach. We will consider what Miles Briggs said about information leaflets, but I would be concerned if the box ended up being stuffed with leaflets rather than with items that are of practical use, such as are provided in the Finnish baby box.

Maree Todd said that 8 million nappies are changed every day. Most of those are disposable, so an awful lot of nappies are going to landfill. As a number of members said, Zero Waste Scotland is examining the potential for recycling disposable nappies. I heard what Mark Ruskell said, but even if we significantly increase the uptake of reusable nappies, the reality is that some parents will still have to use disposable nappies. It is therefore right and proper that we consider how to deal better with disposables, including recycling options. I am aware that some companies claim on the packaging that their disposable nappies are biodegradable; whether that is actually how the nappies perform has yet to be ironed out.

Alison Harris and others made the point that although talk about real nappies often conjures up an image of huge terry towelling sheets and safety pins, we have moved on. As a number of other members have done, I used reusable nappies for my son and was struck by how easy and simple they are to use. It was often quite messy, though, but that is the nature of babies. There is a job of work to be done in that regard.

Gail Ross and Gillian Martin suggested items for the box that are worthy of consideration. I cannot give a commitment to include those items, as I said, but they made a case for them.

Mark Ruskell veered off the subject slightly at the end of his speech when he talked about how we can ensure that toys are reused or repurposed. I often find with my children that a toy that I think is

broken still provides a lot of fun and enjoyment. Sometimes we need to look at things through the eyes of the child rather than the eyes of the parent. Many toys that seem not to work are still played with and enjoyed, so if we were a little less hasty about throwing such toys out—provided that they are safe, of course—we might address some of the issues that Mr Ruskell raised.

The important thing for us to consider is this: what is the aim of the baby box? What is the defining purpose that we have established for the baby box? It is, essentially, to give all of our children the best start in life. Although I cannot say at this moment what the contents of the baby box will be, I can say that we are continuing to explore the options—those that have been highlighted in this evening's debate, and other options that have been suggested to me by members of all parties.

I would temper expectations; we obviously have to bear in mind the dimensions of the box and the fact that parents have to get it in the car and get it home, so that will be a factor in determining what we can include. I also want to make sure that we include a range of items. For example, if we took the decision to include reusable nappies, it would probably not be possible to put in a significant number, because that would mean a space constraint such that we could not include other items.

I will consider what has been suggested in the debate. I will continue to discuss the matter with officials and, as always, if members want to write to me, I will be happy to consider the issues that they raise. I cannot at this stage give a guarantee on what the contents of the baby box will be, but all the issues that have been raised this evening are under active consideration.

Meeting closed at 17:51.

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