



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament

**Thursday 13 June 2019**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - [www.parliament.scot](http://www.parliament.scot) or by contacting Public Information on 0131 348 5000

---

Thursday 13 June 2019

CONTENTS

	Col.
<b>GENERAL QUESTION TIME</b> .....	1
Higher and Further Education (Care-experienced Young People) .....	1
College Students (Fees).....	2
Child and Adolescent Mental Health Services (NHS Grampian) .....	3
Children Starting School (Costs) .....	4
Climate Emergency (Skills) .....	4
Deposit Return Scheme (Glass).....	5
NHS Highland (Bullying).....	7
Jarlshof (Coach Parking).....	8
<b>FIRST MINISTER'S QUESTION TIME</b> .....	10
Education (Subject Choice) .....	10
Pensioners (Poverty) .....	12
Duchess of Hamilton Park War Memorial .....	14
European Social Fund .....	15
Gas-Fired Power Stations .....	15
St Ambrose and Buchanan High Schools .....	16
Bedbug Infestation.....	17
General Practice (Funding) .....	17
In-care Child Abuse Survivors (Advance Payment Scheme).....	18
Lock-change Evictions.....	19
Student Debt.....	19
Scotland Acts.....	20
University Hospital Hairmyres (Industrial Action) .....	20
Road Closure (Stranraer).....	21
Scams.....	21
Glasgow and Aberdeen Airports (Strike Action).....	23
Scottish-European Growth Co-investment Programme .....	24
<b>WORLD ENVIRONMENT DAY 2019</b> .....	27
<i>Motion debated—[Gillian Martin].</i>	
Gillian Martin (Aberdeenshire East) (SNP).....	27
Alexander Burnett (Aberdeenshire West) (Con).....	30
Keith Brown (Clackmannanshire and Dunblane) (SNP) .....	31
Claudia Beamish (South Scotland) (Lab) .....	33
Shona Robison (Dundee City East) (SNP).....	35
Alison Johnstone (Lothian) (Green).....	36
Angus MacDonald (Falkirk East) (SNP) .....	38
Finlay Carson (Galloway and West Dumfries) (Con) .....	40
Gail Ross (Caithness, Sutherland and Ross) (SNP) .....	41
Lewis Macdonald (North East Scotland) (Lab).....	42
The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon) .....	44
<b>SCOTTISH PARLIAMENTARY CORPORATE BODY QUESTION TIME</b> .....	48
Pension Scheme (Fossil Fuels).....	48
Parliamentary Events (Equality of Access) .....	49
<b>PORTFOLIO QUESTION TIME</b> .....	53
<b>GOVERNMENT BUSINESS AND CONSTITUTIONAL RELATIONS</b> .....	53
Referendums (Scotland) Bill.....	53
Referendums (Scotland) Bill.....	54
United Kingdom Government Constitutional Policy.....	55
Legislative Programme 2018-19.....	56
Brexit (Impact on Immigration) .....	57
Brexit (Trade with United States).....	59
Brexit (Impact on Glasgow) .....	60

<b>DISCLOSURE (SCOTLAND) BILL</b> .....	62
<i>Statement—[Maree Todd].</i>	
The Minister for Children and Young People (Maree Todd) .....	62
<b>RESTRICTED ROADS (20 MPH SPEED LIMIT) (SCOTLAND) BILL: STAGE 1</b> .....	73
<i>Motion moved—[Mark Ruskell].</i>	
Mark Ruskell (Mid Scotland and Fife) (Green) .....	73
Edward Mountain (Highlands and Islands) (Con) .....	76
The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson) .....	79
Jamie Greene (West Scotland) (Con) .....	82
Colin Smyth (South Scotland) (Lab) .....	85
John Finnie (Highlands and Islands) (Green) .....	88
Mike Rumbles (North East Scotland) (LD) .....	91
Stewart Stevenson (Banffshire and Buchan Coast) (SNP) .....	93
Liam Kerr (North East Scotland) (Con) .....	95
John Mason (Glasgow Shettleston) (SNP) .....	98
Daniel Johnson (Edinburgh Southern) (Lab) .....	100
Clare Adamson (Motherwell and Wishaw) (SNP) .....	102
Claudia Beamish (South Scotland) (Lab) .....	104
Peter Chapman (North East Scotland) (Con) .....	107
Michael Matheson .....	109
Mark Ruskell .....	112
<b>WILD ANIMALS IN CIRCUSES (NO 2) BILL</b> .....	117
<i>Motion moved—[Mairi Gougeon].</i>	
<b>POINT OF ORDER</b> .....	118
<b>DECISION TIME</b> .....	119

---

# Scottish Parliament

Thursday 13 June 2019

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

## General Question Time

### Higher and Further Education (Care-experienced Young People)

1. **Fulton MacGregor (Coatbridge and Chryston) (SNP):** To ask the Scottish Government how it supports care-experienced young people into higher and further education. (S5O-03382)

**The Minister for Further Education, Higher Education and Science (Richard Lochhead):** The Scottish Government provided additional investment of more than £5 million in 2018-19 and 2019-20 to increase the care-experienced student bursary across further education and higher education to £8,100 per year. The additional investment funded an increase from the previous levels of £7,625 in HE and £4,185 in FE, providing a significant increase in the financial support that is available to care-experienced students. We are continuing to work on improvements that will focus additional student support funding on students who are most in need.

**Fulton MacGregor:** The minister might be aware that I recently wrote to the Student Awards Agency for Scotland on behalf of a constituent who has been told that she does not qualify for a care-experienced student bursary because her period of care was not in the United Kingdom. I suspect that such cases are anomalies in the system, and will affect only a small number of students, but will the minister commit to looking into the matter further to ensure that all care-experienced children have equal rights, regardless of where in the world they have experienced being in the care of the state?

**Richard Lochhead:** I will certainly look into the circumstances that Fulton MacGregor has outlined. I am sure that he appreciates that there might well be anomalies in the system, which should be investigated and sorted if necessary. Clearly, we need to lay down criteria for who qualifies for student support in Scotland, but I agree with the premise of the member's question. I hope that he will get a satisfactory reply. I will certainly investigate the circumstances of the case.

### College Students (Fees)

2. **Liam McArthur (Orkney Islands) (LD):** To ask the Scottish Government what guidance it provides for college students regarding fees encountered for starting a course and then withdrawing. (S5O-03383)

**The Minister for Further Education, Higher Education and Science (Richard Lochhead):** The majority of colleges do not apply a fee to full-time students at higher education level who withdraw early from their course. As colleges operate independent of Government, it is ultimately the decision of individual colleges as to whether they apply charges to students who withdraw early, before the fee cut-off date of 1 December. Students are advised by the Student Awards Agency for Scotland that they could be charged a fee by their institution, should they withdraw before the fee cut-off date. However, I expect institutions to take into account the personal circumstances of individual students when applying any fees.

**Liam McArthur:** I thank the minister for that helpful response. I was contacted by a constituent who was forced to drop out of a higher national certificate course after a deterioration in her mental health. After she returned to Orkney, her mother passed away suddenly, which added further distress at an already anxious and difficult time. Almost simultaneously, and without warning, my constituent was informed by her college that she would face a charge of more than £400 and even the threat of court action. I am in touch with the college's principal, who has helpfully agreed to look into the matter.

Does the minister believe that colleges could be provided with clearer advice about using discretion in levying charges in such circumstances? Does he accept that that reflects the duty of care that colleges owe their students, including those who are left with no option but to drop out early?

**Richard Lochhead:** I am very sorry to hear about Mr McArthur's constituent's personal circumstances, and I understand why he is raising the case. I expect colleges to understand the reasons why a student might withdraw from a course early. It is very important that they take decisions about asking for fees to be paid after taking into account the circumstances that led to the withdrawal. I will ask my officials to look into the case that Mr McArthur has highlighted. I am pleased to hear that Mr Paul Little, the principal of the City of Glasgow College, is looking into the matter, and I hope that he will give a satisfactory response.

**Oliver Mundell (Dumfriesshire) (Con):** Will the minister clarify whether Scottish Government statistics on positive destinations take into account

young people who start a college course and then withdraw after a short time?

**Richard Lochhead:** The statistics take a range of circumstances into account. There is not a simple answer to the question, because there are different cut-off dates and different ways in which the statistics are calculated. However, I will certainly drop the member a note that will elaborate on that point.

#### **Child and Adolescent Mental Health Services (NHS Grampian)**

3. **Peter Chapman (North East Scotland) (Con):** To ask the Scottish Government what percentage of children in the NHS Grampian area who have mental health issues are being seen within the 18-week referral to treatment target. (S5O-03384)

**The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick):** In the latest quarter for which statistics are available, which is January to March 2019, 43.3 per cent of children and young people who were referred to the Grampian children and adolescent mental health service were seen within 18 weeks.

**Peter Chapman:** I thank the minister for that answer, although I am very disappointed by it. As the minister said, in the first three months of this year, only 43 per cent of young patients were seen within 18 weeks. NHS Grampian has said that it has some of the longest waiting times and it is also the lowest-staffed board, with 53 per cent less staff than other boards. It is also the lowest-funded health board in Scotland.

The consistency in missed targets in NHS Grampian shows that there is a real problem. Can the minister stop with the excuses, accept that that is unacceptable and tell me how the Scottish Government plans to address the issue?

**Joe FitzPatrick:** The Minister for Mental Health has been absolutely clear that that situation is unacceptable, which is why we have taken a range of measures to support health boards in reaching the standard of 90 per cent of patients being seen within 18 weeks of referral. The Scottish Government is currently working with health boards, including NHS Grampian, to agree their annual operation plans, including how they will deliver on the standard.

To help boards and integration joint boards achieve that ambition, we have outlined a package of measures to do more to support positive mental health and to prevent ill health, which includes £0.25 billion of additional investment. That is in addition to the £54 million that has already been invested to help boards to improve their performance against waiting time targets by investing in workforce development, recruitment

and retention, and service improvement support. That investment has allowed the CAMHS workforce to increase by 75 per cent—the number of CAMHS psychologists has more than doubled under the SNP Government.

#### **Children Starting School (Costs)**

4. **Gil Paterson (Clydebank and Milngavie) (SNP):** To ask the Scottish Government how it helps families to meet the cost of a child starting school. (S5O-03385)

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** We have delivered a wide range of initiatives to help families to meet the cost associated with starting school, including the pupil equity fund and improvements to free school meals and the school clothing grant.

Our best start grant has already provided more than £3.5 million to families on low incomes at key stages in their children's early years. Since 3 June, it has also provided a £250 school-age payment when a child is due to start primary school, which can be used for anything from school clubs, to travel costs, to days out, to clothing.

**Gil Paterson:** I have raised the issue with the cabinet secretary previously and have lodged a motion in a similar vein on awareness of universal credit. What is the Scottish Government doing to promote and inform the public about the new best start payment? We need to ensure that those who need support know exactly where they can get it.

**John Swinney:** Mr Paterson makes a serious point—he has made it to me on several occasions—on raising awareness of such measures to support families. A co-ordinated communications plan is being implemented with local authorities, health boards and third sector organisations that support applicants.

As we did for the launch of the previous best start grant payments, we have provided a range of guidance, promotional materials and media content for stakeholders. We hope that that will explain eligibility criteria and encourage applications.

#### **Climate Emergency (Skills)**

5. **Gillian Martin (Aberdeenshire East) (SNP):** To ask the Scottish Government how it is ensuring that there is the skills base to deliver the transformational change required to address the climate emergency. (S5O-03386)

**The Minister for Business, Fair Work and Skills (Jamie Hepburn):** We established the just transition commission, which has expertise in labour market and skills, to advise ministers on the

move to a net zero economy. The commission's work plan has identified skills as a key topic. Analysis of current and future labour requirements, including skills, will form an on-going part of its considerations.

**Gillian Martin:** The just transition commission will be key to ensuring that Scotland's transition from burning fossil fuels to a low-carbon economy is one in which citizens' employment is not disadvantaged and in which they have the opportunity to gain skills for the future. As its work continues, will the just transition commission include representatives from Scotland's colleges and universities? What role will Skills Development Scotland play in ensuring that our workforce is ready for the transition?

**Jamie Hepburn:** The commission's membership, as laid out last December, includes representatives of academia: Professor Jim Skea, the chair; and Professor Karen Turner, from the University of Strathclyde.

Skills Development Scotland, our national skills development agency, undertakes skills planning across all sectors, across all areas of the country, and supports our assessment of current and future skills needs. When we set out our ambitions, we expect the Government skills agency to respond, and this area is no different.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** It has now been two years since the Scottish Conservatives first called for the establishment of a circular economy education and skills academy, a move that could boost the skills base to tackle climate breakdown. Now that the First Minister has declared a climate emergency, does the minister agree that such an academy should be established as a priority?

**Jamie Hepburn:** We will consider all reasonable propositions that are made in good faith. We have a well-established skills system and invest considerable amounts in it. We expect that skills system to be responsive to our needs, including in this area. We will shortly be publishing our national skills action plan, which will set out how we intend to ensure that we have a skills system that is ever more responsive to all requirements. I will always be ready to consider propositions, but I will be candid in saying that we have a skills system in place and I expect it to respond to the task in hand.

### **Deposit Return Scheme (Glass)**

**6. Ruth Maguire (Cunninghame South) (SNP):** To ask the Scottish Government what assessment it has made of the potential impact on glass recycling rates of including glass containers in its planned deposit return scheme. (S5O-03387)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** As outlined in our stage 1 full business case, which was published on 8 May, we anticipate that a DRS will increase glass bottle recycling rates from the existing 64 per cent towards 90 per cent. As bottles make up the bulk of glass packaging that is used for food and drink, that will drive up the overall glass recycling rate.

The Scottish Government remains committed to supporting local authority collection arrangements for a range of packaging materials alongside DRS. Under our proposed reforms of wider packaging producer responsibility arrangements, the costs to local authorities of delivering those services will in future be met by producers.

**Ruth Maguire:** Ardagh Glass is an important employer in my constituency and has raised concerns with me that, in other countries, an unintended consequence of including glass in deposits was that manufacturers switched to plastics. Can the cabinet secretary provide reassurance that the inclusion of glass is being considered carefully and that industry and consumers are being consulted? Will she join me on a visit to Ardagh Glass, in Irvine, to see first hand the contribution that it makes to recycling?

**Roseanna Cunningham:** I am committed to working closely with industry as we progress to implementation of our proposals. I am already meeting Ardagh Glass, on 26 June, to discuss our plans in more detail. I recognise the concerns around the inclusion of glass, but I believe that those factors are more than offset by the significant increase in glass recycling and the reduction in carbon emissions that it will deliver. There is also the potential for the glass industry to directly benefit from the higher quality recyclable glass that we expect to capture through DRS.

**Maurice Golden (West Scotland) (Con):** I refer members to my entry in the register of members' interests.

The inclusion of glass in a deposit return scheme is a risk to local authorities and to key sectors such as Scotch whisky. For example, more than £33 million of funding has been withdrawn from Aberdeenshire Council for its new waste collection system and industry has warned about the viability of the supply chain. Will the cabinet secretary pledge to ensure that no council job losses result from the scheme and also that all resources that are collected by the scheme are recycled here in Scotland?

**Roseanna Cunningham:** I had understood that the Conservatives supported the inclusion of glass in the scheme, and I hope that, given the tone of Maurice Golden's question, they are not beginning to renege on that support. Special advisers and

officials have recently met other glass industry interests, so we are aware of the concerns and I made that very clear when I made my statement. We understand the issues around the inclusion of glass, but I was clear in my earlier answer to Ruth Maguire that the issues that are connected to local authority recycling are not as straightforward as Maurice Golden is perhaps suggesting. Of course, we will continue to keep all the issues related to the scheme under consideration—that is what the implementation advisory group is for.

### **NHS Highland (Bullying)**

**7. Edward Mountain (Highlands and Islands) (Con):** To ask the Scottish Government on what date it was first made aware of bullying in NHS Highland, and what action it took. (S5O-03388)

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** As Edward Mountain will know from the response that he received to the same question on 23 May, a search of all records available from 1 January 2011 showed that the earliest correspondence on file relating to NHS Highland that mentioned the term “bullying” was received on 16 March 2014. That correspondence was addressed to a trade union and copied to the Scottish Government for information only. The Scottish Government has proactively engaged with the individual concerned and continues to engage to this day.

**Edward Mountain:** I understand that the board of NHS Highland knew about serious bullying allegations in 2010. As the cabinet secretary has pointed out, the Scottish Government knew about bullying in March 2014. If the issue had been dealt with properly then, there would not be the crisis that there is today. Does the cabinet secretary agree that a serious failure by the Government allowed the situation to develop as it has?

**Jeane Freeman:** No, I do not agree with that. Despite Mr Mountain’s best efforts to suggest otherwise, we have handled the situation very well since the commissioning of the Sturrock report, which was prompted by allegations of a culture of bullying, not individual cases. We have handled the situation swiftly and well.

The independent report has been well received—I am sure to Mr Mountain’s chagrin—by staff and others in NHS Highland, and we continue to act on it. Indeed, a week today, I will visit NHS Highland in order to understand exactly how it is progressing its action plan. It behoves members—particularly those who claim to represent people in the Highlands—to get behind that report and give it their absolute support.

**David Stewart (Highlands and Islands) (Lab):** Has the cabinet secretary considered the Francis review, which looked into bullying in the national

health service in England? Its recommendations included early support of whistleblowers, cultural change and the prevention of isolation and containment. Will the cabinet secretary incorporate those recommendations in NHS Highland and beyond?

**Jeane Freeman:** As Mr Stewart knows from the statement that I made on the publication of the Sturrock review, I have made it clear that I understand well that some of the lessons in that report apply across our NHS. That is why one of the actions that I have taken has been to bring together a leadership group from across our regulation bodies, our royal colleges, our staff and trade union representatives and our boards to meet me over the summer to look at what more we need to do across our NHS to ensure that we have a positive working culture. That, of course, responds in many ways to the recommendations of the Francis review.

### **Jarlshof (Coach Parking)**

**8. Tavish Scott (Shetland Islands) (LD):** To ask the Scottish Government what progress is being made in developing coach park facilities for the Jarlshof site in Shetland. (S5O-03389)

**The Minister for Europe, Migration and International Development (Ben Macpherson):** As the Cabinet Secretary for Culture, Tourism and External Affairs, Fiona Hyslop, explained in a letter to Tavish Scott on 2 May, discussions on the proposed improvements to visitor facilities at Jarlshof remain on-going. Legitimate questions have been raised about best value for money for the public and taxpayers, and ministers await further advice that the position has been addressed. The cabinet secretary has asked Historic Environment Scotland to ensure that matters are expedited in so far as is within its control.

**Tavish Scott:** Sumburgh hotel, local bus businesses and the cruise line industry have been told for three years that Historic Environment Scotland, the agencies and the Government would sort out those coach park facilities, but all that we have had has been endless buck passing. Why?

**Ben Macpherson:** For clarity, Historic Environment Scotland is aware of the vital need for facilities at Jarlshof, as has been expressed, and that the current provision is not sustainable. It has been considering its options and has kept ministers informed of developments. However, as I am sure Tavish Scott is aware, there are legal sensitivities around the current negotiations relating to the proposals to improve parking and visitor facilities. Therefore, it would be inappropriate for me to go into any detail on those on-going discussions at this time. What is more, as would always be the case in any process of this



nature, it is the responsibility of ministers to ensure that best value for money can be evidenced.

I will ensure that Historic Environment Scotland is asked to make contact with the member to further discuss these matters and to inform him of any updates, as appropriate.

**The Presiding Officer (Ken Macintosh):** Apologies to Jenny Gilruth and Bill Kidd, but our time is up.

## First Minister's Question Time

12:00

### Education (Subject Choice)

**1. Ruth Davidson (Edinburgh Central) (Con):** Last week, the Cabinet Secretary for Education and Skills took issue with our raising questions about Scottish education in the chamber, so I would like to return to the matter. Recently, Mr Swinney claimed that there has been no narrowing of subject choice for senior pupils in Scotland. Indeed, he said that choice is “blossoming” and that the range of options that are available to young people is “colossal”. Where is the evidence for that?

**The First Minister (Nicola Sturgeon):** Perhaps I could quote Ruth Davidson's education spokesperson, Liz Smith, who, a couple of weeks ago, in the relevant committee, said that there is “more choice” for young people. So, there is some evidence. However, I think that the best evidence of how our education system is performing is the results that our young people are achieving. Whether we look at level 5 qualifications, level 6 qualifications, the number of young people who are getting more than five highers or the narrowing of the attainment gap, we find improvement on all those measures.

That takes me to the flaw in Ruth Davidson's argument. She wants to tell people that there is something terribly wrong in our education system. Unfortunately, the pupils of Scotland are proving her wrong by doing better each and every year.

**Ruth Davidson:** The First Minister talks about the number of qualifications that are being gained, but what she does not say is that the number of A to C grades has dropped by 3 per cent on her watch.

We asked for the evidence on subject choice, and here is what we found. We got results from every school in Scotland, setting out the average number of qualifications that have been taken by pupils in secondary 4 over the past few years—not just national 4 and 5, but every qualification that has been taken. In 2013, when curriculum for excellence was introduced, there were 308 secondary schools in which pupils took an average of seven or more qualifications in S4. By 2018, that figure had fallen to just 182—a drop of more than 40 per cent. By contrast, the number of schools where pupils took six subjects or fewer went up from just 46 in 2013 to 165.

To go back to the education secretary's comments, does that sound like “blossoming” choice to the First Minister?

**The First Minister:** As we have discussed many times in the chamber, it is not simply a matter of the qualifications that young people take in S4. What matters is the qualifications that young people leave school with—the qualifications that they take over the entirety of the senior phase of education. The head of education in Tory-led Aberdeenshire Council has said:

“Young people mature at different rates, and having qualifications available to them over a three-year period gives much greater flexibility and allows them to learn at a stage when they are ready.”—[*Official Report, Education and Skills Committee*, 15 May 2019; c 3.]

It is the entirety of the senior phase that matters.

Here are the facts. At level 5 and level 6, we see the percentage of pupils getting qualifications increasing. In 2009, 22 per cent of young people left school with five highers or more, and that figure is now more than 30 per cent. Further, we are seeing the attainment gap narrow.

I come back to this fundamental point: the evidence does not bear out Ruth Davidson’s analysis. The evidence is of an education system that is improving and young people who are doing better.

**Ruth Davidson:** To be fair, I did not expect a completely impartial answer from the First Minister, so, in anticipation, we decided to seek one out. We put all our findings to Professor Jim Scott, the former headteacher who has probably spent more time than anyone examining changes in subject choice in Scotland. He says that the data confirms that, since the introduction of curriculum for excellence,

“just over 200 schools have declines, or significant declines, in the number of entries (for SQA qualifications) whereas just over fifty demonstrate an increase.”

Does the First Minister accept that, or is that just part of some great moanfest conspiracy, too?

**The First Minister:** Much of the analysis that Professor Scott has done has looked at qualifications at S4, but the fundamental point that we are making is that, although that is, of course, important, what is more important is the qualifications that young people leave school with, and we are seeing more young people leave school with more qualifications. We are also seeing the gap between the richest and the poorest narrow. A report this week from our commissioner for fair access says that we are making significant progress in narrowing the attainment gap in terms of young people going on to university. Further, we have a record number of young people going into positive destinations overall.

We will continue to work hard to make progress in education. No matter how much Ruth Davidson wants to talk down the performance of Scottish

education, the facts are, quite frankly, proving her wrong.

**Ruth Davidson:** If we are going to improve education in this country, we need to accept information and evidence, whether on combined classes or on subject choice being restricted, and the First Minister and the education secretary need to listen. The issue is not just down to schools exercising choice; it is down to schools not having enough teachers or support to provide full choice. Children from disadvantaged areas are suffering the most, because they are still the ones who are most likely to leave school at the end of S4.

The Parliament is already conducting an inquiry into the matter. Will the First Minister and her education secretary spend a bit less time attacking the messengers and a bit more time listening to the evidence that they come forward with?

**The First Minister:** We will continue to spend time looking at the evidence. Ruth Davidson never quite manages to respond to the actual evidence, so let me set it out for her again. When this Government took office, just over 70 per cent of young people left school with a level 5 qualification. The figure is now 86 per cent. When we took office, just over 41 per cent of young people left school with a level 6 qualification, and now it is 62 per cent. In 2009, 22 per cent of young people left school with five highers or more, and the figure is now more than 30 per cent. We are also seeing the gap in attainment narrowing. Those are the facts, but Ruth Davidson does not like them because they do not suit her.

On teacher numbers, there are more teachers in our schools now than at any time since 2010. There are more primary school teachers in our schools than at any time since I was at primary school. Ruth Davidson has a bit of a cheek to talk about the number of teachers in our schools when she is the leader of the austerity party in Scotland and the leader of the party that would give tax cuts to the richest and take money out of our education system.

We will get on with the job of improving education, and we will leave Ruth Davidson to defend whichever latest Tory ends up imposing austerity on Scotland.

## Pensioners (Poverty)

**2. Richard Leonard (Central Scotland) (Lab):** This week, our pensioners faced a direct attack on their living standards when the BBC announced its plans to scrap universally free television licences for the over-75s. The Scottish Pensioners Forum said that the decision is

“potentially plunging older people into a solitary existence with no means of contact with the outside world.”

It is right. Will the First Minister add her name to a letter that I am circulating today to all party leaders in the Parliament, which calls on Theresa May—in one of her final acts as the Prime Minister—to take back responsibility, honour her 2017 manifesto pledge and reverse the decision, because our pensioners deserve so much better?

**The First Minister (Nicola Sturgeon):** I am very happy to look at any letter that Richard Leonard wants to send me, but I understand that the Scottish Government has already written to the United Kingdom Government on the matter and has made clear our position. We have not waited until today; we have got on and done it, but we will consider any proposed cross-party action.

I oppose the decision that has been taken by the BBC. As Richard Leonard alluded, the BBC has been left to take the decision but the responsibility for the decision lies fairly and squarely with the Tory Government at Westminster. Let all of us in the chamber—I challenge the Scottish Tories to do so as well—stand up and back the continuation of free TV licences for all pensioners not just in Scotland but across the UK.

**Richard Leonard:** Our pensioners suffered another blow this week when the Scottish Government voted to slow down and water down its plan to end fuel poverty. Back in 2008, when addressing the Parliament, Nicola Sturgeon said:

“I reiterate the Scottish Government’s continued commitment to tackling fuel poverty and to meeting the 2016 target, which is to ensure, as far as is reasonably practicable, that no one is living in fuel poverty by 2016.”—*[Official Report, 19 November 2008; c 12483.]*

However, instead of eradicating fuel poverty by 2016, the First Minister now wants to eradicate it by 2040. Instead of having a definition of vulnerability that extends to all pensioners, the Scottish Government has now excluded everybody below the age of 75, even though life expectancy in Scotland’s most disadvantaged communities is less than 75. When will all of Scotland’s pensioners finally be lifted out of fuel poverty?

**The First Minister:** I am confused. This week, Labour voted for the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill. It is strange that Richard Leonard now seems to oppose it.

The latest figures, which were published in December last year, show fuel poverty in Scotland at the lowest recorded rate since 2005. However, we all have work to do, which is why we passed that legislation. The Scottish Government is among only a handful of European Governments to define fuel poverty, let alone to set standards related to its eradication, and we will continue to

work to eradicate fuel poverty. The targets that we set this week will focus us on doing that. I hope that we will have the support of Scottish Labour not just in passing legislation on the targets but in taking the action that will make sure that we meet those targets.

**Richard Leonard:** These are the facts: pensioner poverty is up; free TV licences are under attack; care and support needs are unmet; life expectancy is falling; and the promise to end fuel poverty is broken. The way that we treat our elderly citizens is a mark of the kind of society that we are. They are people who have contributed all their working lives. Many of them are still contributing today, as unpaid carers, yet too many of them are forced to choose between heating and eating.

The First Minister’s target date for ending fuel poverty was 2016; now, it is 2040. Does the First Minister appreciate the anger that will be felt by pensioners when they realise not just what the Tories are doing this week, but what the Scottish Government has done this week?

**The First Minister:** We will continue to be one of the only Governments across Europe that is setting targets to eradicate fuel poverty.

The regulation of energy prices in this country is a reserved matter, and pensions and television licences are reserved matters. If Richard Leonard wants this Government to have responsibility for all those matters, I will be the first to agree with him. Having reversed his position on a second European Union referendum at the weekend, perhaps he will now see the light and reverse his position on a second independence referendum, so that this Parliament can take control of those matters out of the hands of the Tories and serve our pensioners along with the rest of our country.

#### **Duchess of Hamilton Park War Memorial**

**Clare Adamson (Motherwell and Wishaw) (SNP):** The First Minister might be aware of reports that the first world war memorial in the Duchess of Hamilton park in my constituency has been vandalised. My great uncle is remembered on that memorial. Does the First Minister share my disgust at that abhorrent act, especially in such close proximity to the commemorations for the 75th anniversary of the D-day landings? Will she join me in sending a message that hate crimes and hate behaviours have no place in a modern Scotland? Will she urge those who are responsible to reflect on the hurt and upset that they have caused my constituents, and to come forward and take responsibility for their actions?

**The First Minister (Nicola Sturgeon):** I thank Clare Adamson for raising that issue.

I was disappointed and disgusted to hear of the vandalism of the first world war memorial in Motherwell and I join Clare Adamson and others in condemning such a wicked and despicable act. That it happened at a time when we have been commemorating the sacrifices that were made by our armed forces makes it all the more abhorrent. The police are investigating it. I call on the perpetrators to reflect on their behaviour and come forward. I agree with Clare Adamson that we must all join in sending a clear message that hate crime has no place in Scotland and that it will not be tolerated.

### European Social Fund

**Brian Whittle (South Scotland) (Con):** A charity in my area that is waiting for European social fund payments has contacted me to say that it is struggling with costs and that it found out that there was an issue with the fund only when someone read about it in a national newspaper. Given the third sector's limited budget and need to control cash flow, does the First Minister think that it is acceptable for the Scottish Government to communicate with the sector in that way? Moreover, while the charity is trying to resolve its administration issues with the fund, perhaps the Scottish Government might consider paying its proportion of the grant in advance.

**The First Minister (Nicola Sturgeon):** The Scottish Government met the Scottish Council for Voluntary Organisations just yesterday to update it on the situation and to provide further reassurance. Of course, the concerns relate to evidence provided by lead partners in these projects that this is a common issue with European social funds, and similar problems have been identified in England, but we are determined to avoid any charity or third sector body suffering as a result of this.

We continue to make payments to projects unaffected by these issues, and we are working to resolve the situation as quickly as possible with the European Commission. We have already sent a list of proposed solutions to the Commission, and we await confirmation that it is content to accept the proposals, which will ensure that lead partners in the various projects are able to generate the evidence that they need to support their claim for payment. The Government is doing and will continue to do everything to resolve this situation as quickly as possible.

### Gas-Fired Power Stations

**Ross Greer (West Scotland) (Green):** The First Minister might be aware of proposals by Peel Ports for a significant development adjacent to the Hunterston nuclear power station in my region. The proposals are varied; some are very

interesting and could provide much-needed jobs, but one that is causing local residents serious concern relates to liquefied natural gas and a proposal for a terminal, a storage facility and a new gas-fired power station. Does the First Minister agree that new gas-fired power stations in Scotland are not compatible with her declaration of a climate emergency?

**The First Minister (Nicola Sturgeon):** I certainly appreciate and echo Ross Greer's sentiments with regard to the climate emergency, and we want to do everything possible to meet that challenge.

As for any proposed developments, Ross Greer will be aware that they will have to go through a whole series of applications and considerations, and it would not be correct for me to pre-empt any of that process. However, this Government's commitment to tackling climate change and reducing emissions is very well evidenced across our energy policy.

### St Ambrose and Buchanan High Schools

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** I know that the First Minister is aware of the situation at St Ambrose and Buchanan high schools in my constituency, and I whole-heartedly welcome John Swinney's announcement yesterday of an independent and impartial review into the matter. However, given that more than 400 people attended a public meeting that I arranged last week and more than 14,000 folk have signed an online petition, what reassurances can the First Minister give that the review will involve hearing the views of parents and school staff? Will the review's public health lead have the power to order appropriate tests and investigations in order to get a full understanding of the safety of the site?

**The First Minister (Nicola Sturgeon):** I appreciate this opportunity to address an issue that I know is causing parents considerable concern, despite the efforts of the council and the health board to assure people of the safety of the schools. Indeed, that is why we announced the independent review yesterday; it will engage with parents, teachers, staff and, perhaps most important, all pupils in the schools, but exactly how it will be taken forward is rightly a matter for the review itself, given the importance of ensuring its independence.

The same is true with regard to the question of testing. Let me be clear: if the review's experts conclude by recommending further tests on the site itself or, with the appropriate parental permission, on the pupils, that is exactly what will happen. However, we must respect the review's independence and allow it to reach its own conclusions. The critical point about this work is

that the review must be—and must be seen to be—independent and impartial. Nothing less will be acceptable to staff, parents and pupils, and nothing less will be acceptable to the Government.

### **Bedbug Infestation**

**Annie Wells (Glasgow) (Con):** In my Glasgow region and the First Minister's constituency, a school has been forced to take desperate action to eliminate a four-year bedbug infestation ordeal. Kids are getting rashes; pest control teams are visiting every few months; and staff have had to destroy their home furniture. First Minister, what century is this?

**The First Minister (Nicola Sturgeon):** This is an issue in different parts of Glasgow. From my constituency interest in the case that Annie Wells cites, I know the intensive work that is being done by the council. I speak to council officials regularly on these matters and about the other issues that are raised in this area of my constituency and I know that intensive work is going on. All of us have to encourage those involved in this to follow all the guidelines so that the work that is being done has the best chance of succeeding.

### **General Practice (Funding)**

3. **Alison Johnstone (Lothian) (Green):** Like me, the First Minister will have received hundreds of emails from constituents this week backing calls for 11 per cent of national health service funding to go to general practice, to enable our local surgeries to employ more doctors and nurses, to provide longer appointments, and to tackle the health inequality that continues to blight Scotland.

In April, Parliament voted for a Green motion demanding an urgent review of GP recruitment, resources and funding. When will the Scottish Government respect the will of Parliament and launch such a review?

**The First Minister (Nicola Sturgeon):** We are taking a range of actions to boost recruitment into general practice. The Government is committed to increasing the proportion of funding going to primary care services to 11 per cent and half of that will go to GPs in particular, but of course GPs do not work in isolation. Increasingly, it is the entire primary care team that is important in terms of delivering the services that people need in communities, and shifting the balance of care from acute services to primary care. We continue to work to achieve that aim and to work on the different actions that we are taking to ensure that we are recruiting the right number of people, not just into general practice but into different professions across our health service.

**Alison Johnstone:** The fact is that the overwhelming majority of patient contacts are

made with our GPs, yet they receive less than 8 per cent of the NHS budget. Although 11 per cent of the budget may be going to primary care, the call is for 11 per cent to go to GP practices. They are overstretched and underresourced. A quarter of GPs do not think that they will be in general practice five years from now and the Royal College of General Practitioners is warning that this untenable situation is putting patient safety at risk.

If we want to look after people in their homes and communities rather than in our hospitals, we need more GPs. The RCGP says that surgeries will struggle to deliver the healthcare that we need without at least 11 per cent of the NHS budget. Are the GPs wrong?

**The First Minister:** We continue to talk to and work with GPs. I understand that the health secretary will meet the RCGP shortly to have further discussions about its report. We are taking a range of actions on recruitment. The number of trainee doctors, for example, has increased by more than 10 per cent since 2007 and the majority of new places are focused on primary care and general practice. The number of trainee GPs in 2018 was at its highest level for over a decade. We will continue to take those actions.

We have made a commitment to increase the share of funding going to primary care and we will meet that commitment. General practice is a vital part of that but—as anybody who understands how the health service works will know, and I know that Alison Johnstone knows this—general practice does not work in isolation. It is part of a multidisciplinary team. Increasing the share of funding going to primary care helps not just the entirety of the primary care team but general practice, because tasks that might currently be done by GPs can be done by other members of the team. This is an important commitment and we will continue to make progress in meeting it.

### **In-care Child Abuse Survivors (Advance Payment Scheme)**

**Johann Lamont (Glasgow) (Lab):** The First Minister will be aware of the advance payment scheme for older survivors of in-care child abuse. In a recent written answer to me, the cabinet secretary for education said that no application to the scheme had been refused. Some survivors, however, are reporting that applications are being refused on the ground that they do not have the documents to prove where they were in care. Of course, we know that some organisations running children's homes destroyed many of their historical records.

I ask the First Minister to have this investigated as a matter of urgency, given the distress that this

may be causing to people who, throughout their lives, have had their trust betrayed.

**The First Minister (Nicola Sturgeon):** As I hope that Johann Lamont will recognise, this important issue has been taken seriously by the Government. We owe a debt to these people and we are determined to do what we can to repay that debt.

My understanding—although of course we will look into the information that Johann Lamont has just provided—is that, so far, no application has been refused for lack of documentation. Johann Lamont is giving me different information and I will make sure that the Deputy First Minister looks into that. We will write to Johann Lamont as soon as we are in a position to do so.

### Lock-change Evictions

**Sandra White (Glasgow Kelvin) (SNP):** The First Minister will be aware of the announcement that Serco plans to resume its lock-change eviction programme across Glasgow. What action will the Scottish Government take to prevent such inhumane treatment of asylum seekers by Serco?

**The First Minister (Nicola Sturgeon):** I deeply regret Serco's decision. It is inhumane to evict people from their homes by changing the locks. The Scottish Government has made its views known; we have worked and will continue to work with Glasgow City Council to protect asylum seekers as much as we can.

The root problem is the inhumane asylum policy that the Home Office and the United Kingdom Government have pursued, which needs to change. Given her partnership with the Home Secretary, perhaps Ruth Davidson will take the opportunity to ask him to end the situation in which people can be evicted from their homes in such a way. I look forward to hearing from her once she has done that.

### Student Debt

**Iain Gray (East Lothian) (Lab):** Figures that have been released today show that Scottish student debt has soared to £5.5 billion, which is three times what it was in 2007. The average individual debt is more than double what it was when the Scottish National Party came to power. When the First Minister says that we should judge her by her record on education, are Scotland's students and graduates, who were promised no student debt, entitled to judge the situation as a betrayal that grows bigger year by year?

**The First Minister (Nicola Sturgeon):** I will focus on the exact loan debt figures. The individual loan debt figures are £35,950 in England, £22,920 in Labour-run Wales, £23,550 in Northern Ireland and £13,800 in Scotland—that is

some £9,000 less than in Wales, where Labour is in government. Average student debt increased by £670 in the most recent year but, in Labour-run Wales, it increased by £1,610.

Labour's hypocrisy on the issue knows no bounds. The fact is that we are increasing support for students and increasing student bursaries. We are determined to keep education in Scotland free. That is the difference between the SNP and the Tories, Labour and the Liberals.

### Scotland Acts

**Jenny Gilruth (Mid Fife and Glenrothes) (SNP):** Today's *Daily Record* reports on the Tory party's latest priority, which is that it wants its new Westminster leader to rip up the Scotland Acts and seize control of spending and decision making in devolved areas. Does the First Minister condemn that latest attempt at a power grab on Scotland's Parliament?

**The First Minister (Nicola Sturgeon):** Everything that the Tories do and say now, and the shrill way in which they say it, demonstrates that they know that they are losing the argument on independence, so they are reduced to trying to frustrate democracy. The Tories are not interested in more money for Scotland—if they were, they would have stood up against the cuts that the Tory Government imposed on this Parliament. The Tories are interested in undermining this Parliament. We have had the legislative power grab; we have seen the petty but completely unsuccessful attempt this week to constrain the ability of the Scottish and Welsh Governments to represent our interests overseas; and now we have the money grab.

We are learning two things. First, the Tories cannot be trusted with devolution. Secondly, and perhaps more interesting, the Scottish Tories know that they will never be in government in Scotland. If they had any hope of that, they would not allow a UK Tory Government to undermine this Parliament in the way that it is.

### University Hospital Hairmyres (Industrial Action)

**Mark Griffin (Central Scotland) (Lab):** The First Minister will be aware of press reports that the GMB union is balloting 300 members of staff at Hairmyres hospital on taking strike action. A payroll system change means that the staff are collectively owed £72,000, have been paid two weeks' wages for three weeks' work and have been offered a loan instead of wages that they are rightly owed, which has pushed many into debt. Will the Scottish Government make a public intervention, in line with the workforce's wishes, to ensure that staff are paid what they are owed and

to avert strike action, with its likely knock-on effect on patients in my region?

**The First Minister (Nicola Sturgeon):** The Cabinet Secretary for Health and Sport has already made a public intervention. She has written to the company, she has met representatives of the union concerned and she continues to encourage the company to adopt an approach that is fair to staff and that avoids any disruption to services. We will continue to do everything that we can as a Government to bring about that resolution.

The issue comes from the private finance initiative contract for Hairmyres hospital, which I seem to remember came about under the most recent Labour Administration. This is one of the symptoms of PFI, which Labour was so happy to support all those years ago, and which its members now have the nerve to complain about in the Parliament. We will continue to do the work that we can to resolve the matter. Perhaps Labour should spend a bit more time reflecting on why we find ourselves in this situation.

#### Road Closure (Stranraer)

**Emma Harper (South Scotland) (SNP):** Has the Scottish Government had any contact from Dumfries and Galloway Council following the closure of Church Street in Stranraer, which is due to safety concerns over the dilapidated grade B-listed George hotel, on whether assistance could be offered?

**The First Minister:** We will be happy to liaise with the council and to do everything that we can to help with the situation, which I know is of concern to Emma Harper's constituents. I would be happy to ask the relevant minister to look further into the matter and to get back to Emma Harper as soon as possible.

#### Scams

**4. Stuart McMillan (Greenock and Inverclyde) (SNP):** To ask the First Minister what the Scottish Government is doing to make people aware of scams, in light of reports that nearly half of people in Scotland have been targeted at least once in the last year. (S5F-03429)

**The First Minister (Nicola Sturgeon):** The number of people targeted by scams is of great concern. The Scottish Government believes that prevention through education and raising awareness is key to reducing the harm caused. We are funding Citizens Advice Scotland to deliver an awareness campaign, in partnership with trading standards Scotland, Police Scotland, Young Scot, Age Scotland and other agencies. The campaign, which was launched this week, aims to challenge perceptions and stigma

associated with scams and urges people to speak up and report them.

We also fund Crimestoppers, which has been working with Police Scotland on the "Shut out scammers" campaign to raise awareness of doorstep crime and to protect the most vulnerable in society. We are also working with stakeholders to develop a prevention strategy so as to ensure a more co-ordinated response to tackling the issue across Government.

**Stuart McMillan:** Does the First Minister agree that the efforts of Citizens Advice Scotland and Police Scotland to make people aware of scams are welcome, but that we should all remain vigilant and that we should highlight the point that, regardless of whether scammers are successful, they are committing a crime? Does the First Minister also agree that scams are a continual problem and that we need to continue that partnership working, both to raise people's awareness and to target the criminals?

**The First Minister:** Yes, I agree with all of that. We must be vigilant and report any concerns to the police, regardless of whether a scammer is successful. As I have just said, the Scottish Government is working with a range of partners to embed cyber-resilience within our education and lifelong learning systems at all levels. That will help to ensure that everyone has a fundamental awareness of cyber-risk and of how they can take basic but important steps to reduce it.

I very much agree that scams are an on-going problem, and that partnership working of the type that I spoke about in my initial answer will be key to raising awareness and preventing crimes of that nature.

**Maurice Corry (West Scotland) (Con):** The Scottish Conservatives called for a vulnerable persons aggravator almost exactly a year ago, after that was recommended by the Bracadale review. That would mean that those who commit crimes targeted at the elderly and disabled would be punished more harshly by the courts. Why has the Scottish National Party Government failed to introduce that?

**The First Minister:** We consulted on changes to hate crime legislation, and the results of that are currently being taken forward. Parliament will continue to scrutinise the decisions that Government makes and, ultimately, the decisions that Parliament makes itself. It is important that we consider carefully any aggravations to crime, making sure that we have the right evidence base in place and that we take the right action to protect vulnerable groups, whoever they are. We will continue to take action of that type.

### Glasgow and Aberdeen Airports (Strike Action)

5. **Jamie Greene (West Scotland) (Con):** To ask the First Minister what the Scottish Government's response is to strike action taking place at Glasgow and Aberdeen airports. (S5F-03416)

**The First Minister (Nicola Sturgeon):** It is very disappointing that the industrial action is taking place. It is a matter for AGS Airports and the trade union, and I would encourage them to work together to reach a resolution to the dispute. I appreciate that the strikes will be concerning for passengers, particularly as we enter the summer holiday season. I know that measures have been put in place to minimise the impact on passengers and that no flights have been cancelled at either airport because of the industrial action, but I urge AGS Airports and Unite to continue talks to resolve the matter and to avoid any disruption to passengers.

**Jamie Greene:** The First Minister is no doubt aware of the strategic importance of Glasgow airport, not just to the city but to the wider west of Scotland region, for business and tourism. I am sure that similar can be said of Aberdeen airport.

Given that potential further strikes are planned and that the peak travel season is upon us, it is important that the dispute is resolved fairly and quickly. How will the Government, its ministers or its agencies provide assistance to either party, to help to settle the dispute quickly?

**The First Minister:** The Scottish Government is not a party to the dispute. I am sure that that is appreciated. That said, the Scottish Government always stands ready to help, if there is help that we can provide, to resolve such disputes.

This is fundamentally an issue between the airport company and the trade unions. As I did a moment ago, I encourage them to work together, with a view to reaching a resolution that avoids disruption for passengers and that is fair to the workers in the airports. The airport company is a private company, so we do not have a direct role in the talks. However, we want the dispute to be resolved as quickly as possible and if there is anything that we can reasonably do to help to bring about that outcome, we stand ready to do it.

**Neil Bibby (West Scotland) (Lab):** Hundreds of workers in my region have been forced to strike because their pay and pensions have been attacked, in violation of an Advisory, Conciliation and Arbitration Service agreement, and strikebreaking labour is being used despite serious safety concerns. Unite repeatedly offered to talk up to the strike action, but Glasgow airport, which has made profits of more than £90 million, will not work with the union to end the dispute.

Given the airport's vast profits, which are projected to grow by a further 6 per cent, can the First Minister justify why hundreds of workers in my region should be treated in such a way?

**The First Minister:** The Scottish Government is not a party to this dispute; AGS Airports is a private company. I was very deliberate when I said in my previous answer that I want to see a resolution that avoids passenger disruption and that is fair to the people who work in the airport, because the company—as with any company—cannot function without the work of its employees. I want to see fairness for workers.

I encourage the airport to get round the table with trade unions and come to a resolution, and I hope that all members will do that. There has to be a recognition that this is not a dispute to which the Scottish Government is a party, but that does not stop us encouraging those who are parties to the dispute to get round the table and come up with a solution that is fundamentally fair.

### Scottish-European Growth Co-investment Programme

6. **Jackie Baillie (Dumbarton) (Lab):** To ask the First Minister for what reason only £3.2 million out of a £200 million Scottish-European growth co-investment programme has been spent in supporting Scottish businesses. (S5F-03432)

**The First Minister (Nicola Sturgeon):** The Scottish-European growth co-investment programme has provided £12 million of investment so far—the £3.2 million to which the member referred is the Scottish Enterprise contribution and includes deals that are currently being finalised. There have been challenges with take-up of the scheme, including on-going uncertainty around Brexit. Scottish Enterprise is continuing to work with investors and companies to secure investment decisions and maximise the number of businesses that benefit from the scheme.

The Government is committed to supporting small businesses. The co-investment programme is just one part of the Scottish growth scheme, which is funding a range of financial interventions that are aimed at helping small and medium-sized enterprises to realise their growth and exports ambitions. Overall, the growth scheme has supported 158 companies, with £125 million of investment so far.

**Jackie Baillie:** I have to say that £12 million out of £200 million is not much better, at a time when the economy appears to be contracting, manufacturing is declining and, according to the Clydesdale Bank SME health check index, small business confidence is at its lowest since the bank started recording it.



When the fund was announced in the programme for government in 2016, it was welcomed across the Parliament. It was designed to help businesses to grow, in the face of Brexit. This week, the Cabinet Secretary for Finance, Economy and Fair Work claimed that the very fund whose aim was to help to prepare for Brexit has been affected by Brexit.

Will the First Minister tell me whether the Scottish Government completely misread the market, given that there is so little demand, and whether the co-investment programme, which is largely financial transaction money, will be revised to ensure that the right help is available for businesses in these difficult times?

**The First Minister:** I say in response to the last part of the question that we will always look at how we ensure that we provide the kind of help that businesses need, and if we need to make changes to the design of programmes we will certainly do that.

However, I think that most people understand and appreciate that Brexit has had and is having an impact on investment decisions, which is having a knock-on impact on the number of companies that are coming forward to take part in such schemes. That is a reality that I would have thought that Labour, at least, if not the Tories, would have been able to understand.

Overall, the growth scheme is helping a number of companies—as I said, so far, £125 million of investment has been provided to 158 companies. We will continue to do everything that we can to make sure that that very helpful funding gets to companies, but we require companies to come forward with investment propositions, and we will keep encouraging them to do so.

**Dean Lockhart (Mid Scotland and Fife) (Con):** In the 2016 programme for government, the First Minister announced that the Scottish growth scheme would provide £500 million of loans and guarantees to business, but support under the scheme is now largely provided in the form of equity finance. Why do Scottish firms now have to sell part of their business, often to foreign fund managers, in order to get support under the Scottish growth scheme?

**The First Minister:** A range of financial interventions is available, and discussions will take place with companies about what best suits their business needs, whether that is loan funding or other forms of funding.

I would have hoped that Mr Lockhart, as a Conservative member, would have recognised that such schemes are being affected by companies' reluctance to invest because of the Brexit uncertainty. That a Tory in particular can ask such a question when he seems to be

oblivious to that situation just underlines the fact that the Tories have no regard whatsoever for the damage that their policies are doing to the economy of the United Kingdom right now.

**The Presiding Officer:** That concludes First Minister's question time. We will have a short suspension before the next item of business.

12:41

*Meeting suspended.*

12:43

*On resuming—*

## World Environment Day 2019

**The Deputy Presiding Officer (Linda Fabiani):** Would members of the public who are not remaining for the next item of business leave quietly, please?

The next item of business is a members' business debate on motion S5M-17329, in the name of Gillian Martin, on world environment day 2019. The debate will be concluded without any question being put.

The debate is quite heavily subscribed, so I will have to be strict on timings in order to give us time to get the chamber ready for this afternoon's 2 o'clock start.

*Motion debated,*

That the Parliament welcomes World Environment Day 2019, which will be marked on 5 June; notes the recent publication of the report, *Scotland's Nature on Red Alert*, by Scottish Environment LINK, which highlights the potential impact of climate change on Scotland's biodiversity; understands that almost one-in-ten Scottish species are at risk of extinction, and applauds the work of MSPs who work as species champions to protect Scotland's wildlife and to help raise awareness of threatened species in their regions and constituencies.

12:44

**Gillian Martin (Aberdeenshire East) (SNP):** I am delighted to open the debate to celebrate world environment day, to highlight the importance of biodiversity to our environment and to give all our species champions a chance to highlight the importance of their species to the natural balance that must be protected at all costs. From the tiny insect that pollinates our plant life to the giant cetacean that inhabits our seas—and everything in between—everything has its place. When the population of a species decreases or is at threat of extinction, that fine balance is disturbed, and that impacts on us all.

The motion highlights Scottish Environment LINK and WWF Scotland's report, "Scotland's Nature on Red Alert", which outlines the key areas of concern. The threat to the natural balance is a fairly successful species—us. There is no doubt that human beings have caused the global warming that is the biggest threat to our plants, birds, insects and animals, so it is our moral duty to deliver the solution to that problem.

The warming climate has the potential to impact biodiversity globally and locally. If members are not convinced by the moral obligation argument, they can look at the matter from an anthropocentric point of view. Biodiversity has a

key role to play in many of the ecosystem processes that we, as human beings, depend on—for example, nutrient cycling and pollination. Negative impacts on our biodiversity will potentially affect our food and water supplies and our air quality—basically, our life support systems.

The "State of Nature 2016" report indicates that almost one in 10 Scottish species is at risk of extinction. Some of our iconic wildlife species are among those that could be affected: the capercaillie, the puffin, the kittiwake and other seabirds, and the freshwater pearl mussel and Atlantic salmon. Marine species that are at their southern limit around Scotland, including the Arctic char and the white-beaked dolphin, simply might not swim in our Scottish waters any more. The same goes for smaller fish and organisms that are important food sources for other species. Increasing acidification of the oceans might affect not just our wildlife, but our shellfish industries. Our world-renowned salmon rivers might lose more fish as water temperatures rise and summer water levels decline.

Plant communities will change as populations of upland species are reduced. If our peatlands dry out, they will no longer be able to store as much carbon for us, and our rivers might no longer protect us from flooding if rainfall levels rise. As any farmer could tell us, last year's dry summer had a massive impact on crop production and feedstock for animals.

Changed human behaviour is the key to halting declines in species populations, and as the newly appointed grey seal champion, I know that only too well. Globally, the grey seal is one of the rarest seal species, and about 50 per cent of the world population lives in British and Irish waters. At the start of the 20th century, it was estimated that there were about only 250 grey seals left in United Kingdom waters, and they were near extinction. Certainly in my home village of Newburgh, I rarely saw a seal on the River Ythan estuary when I was growing up in the 1980s because they were routinely shot by people who had fishing interests. Now, as a result of a range of protection measures, the grey seals are thriving—not least in the Ythan estuary, where we have the largest colony in the UK.

Earlier this week, I promised the pupils of Balmedie primary school that I would tell the story of why I feel particularly qualified to be the grey seal champion. Eight years ago, while walking with my daughter at the Ythan estuary, we encountered a small grey seal who had beached herself, exhausted from hauling behind her the metres of fishing net and rope that was tangled around her neck. Every time we approached to try to disentangle the seal, she scarpered back into the

river. Worried about distressing her further, we let her be and continued on our walk.

We spotted the seal on the way back: by that time she was so exhausted that she no longer had the energy to move away from us. I managed to get hold of the rope that had embedded itself in the skin of her neck and I pulled it off, but not before she sunk her sharp teeth into my wrist and secured me an appointment at the accident and emergency department later that day. I still have a fairly large scar.

Members will be aware of the origins of Spiderman. [*Laughter.*] Peter Parker was bitten by a spider and developed spider-like powers. Who knows what that seal bite gave me? I have yet to discover an increase in my swimming skills, so being the grey seal champion will have to suffice until the powers inevitably reveal themselves. My Marvel “Seal Girl” back story is a funny story to tell the kids in schools, but, in all seriousness, I want to use my position as grey seal champion to campaign against the fishing gear and other debris that entangle our marine species, including seals and cetaceans.

I also want to help local campaigners who want to educate the public on the best way to view the seals without disturbing them. In my area, that would be from the other side of the River Ythan, on Newburgh beach, where there is a better view of the colony and some of the seals come right up to people rather than bolting away from them in panic.

I am also lucky enough to be the champion of the world’s oldest tree species—the yew, which is also a superhero. Members might remember my speech last year when I called it the Dr Who of trees due to its powers to regenerate and live on and on, defying mortality, not to mention its life-saving powers in providing ingredients for cancer drugs.

Our woodland species champions will know that a decrease in native tree species means huge loss of species’ habitats and, ultimately, no life support for our insects and mammals, including us upright mammals. Nearly half of our native woodland is in poor condition for biodiversity, and of all the ancient woodland that was mapped in Scotland about 40 years ago, around 12.5 per cent has been lost to fragmentation and failed regeneration. That trend must be reversed if we are to protect our most biodiverse habitats and sequester the required amount of carbon to halt climate change. New woodland creation and natural regeneration will need to happen on a faster and far greater scale than ever before. Natural regeneration across Scotland is severely impacted by grazing by herbivores, especially deer. Woodland regeneration could provide new habitat and extend

existing ranges for many woodland-dependent species.

Biodiversity loss will affect us all. Before I sit down, I want to say how heartened I am that so many of my colleagues have asked to speak in the debate to highlight the importance of Scotland’s natural heritage. I look forward to hearing about the species that they hold most dear and continue to champion.

**The Deputy Presiding Officer:** We move to the open debate, with speeches of absolutely no more than four minutes, please.

12:51

**Alexander Burnett (Aberdeenshire West) (Con):** As the species champion for that endangered species the pearl mussel, I am delighted to take part in the debate, which has been brought to the chamber by Gillian Martin, and to discuss the problems that the species faces. I am lucky enough to live beside the River Dee, which is one of the most famous salmon rivers in the world. Anyone who has been there will say how incredible it is. We welcome people from across the world in their bids to cast a fly for our salmon. In order not to disappoint expectations, I refer members to my entry in the register of interests in relation to the Dee.

For those who do not know, I point out that salmon stocks are important in the battle to increase pearl mussel numbers, because the larvae rely for their survival on host fish, including salmon. Pearl mussels each release about 2 million to 3 million larvae, which are either inhaled by or settle in the gills of salmon, where they remain in the winter then drop off into the gravel the following spring. Members can see why salmon stocks are so important to the survival of pearl mussels.

A co-ordinated effort is required to help to save the pearl mussel, so I will take this opportunity to talk about three projects from across Scotland that are bidding to improve salmon stocks and, consequentially, pearl mussel numbers. The first is at Dryhope farm in the Scottish Borders, which won the Scottish Land & Estates enhancing our environment award in 2018. The project linked upland peatland restoration with salmon fishing on the River Tweed, from catchment to catching fish. It was found that damaged peat and drainage channels were reducing the capacity of peatland to stay wet and regulate water flow. By restoring those, the gravels can be stabilised so that fish ova are not swept away and thereby become unviable. That results in an increase in fish stock, which ultimately benefits pearl mussels.

As a side note, I point out that that project also increases carbon storage, improves water quality

and creates better habitats for upland wildlife such as black grouse and hen harriers, which I know the Minister for Rural Affairs and the Natural Environment champions. It is a fantastic project for much of the local environment.

Another project that has created a huge boost for pearl mussel numbers is run by the Ness & Beaully Fisheries Trust. After obtaining further funding from SSE, the trust continued the work of the pearls in peril project, with the result that, between 2012 and 2018, more than 2,500 fish were exposed to pearl mussel larvae. In 2017, monitoring showed that up to 25 per cent of all fish captured were carrying the larvae, with more than 100 on each gill in some cases.

Finally, Vattenfall UK has committed €3 million to several research projects, with the River Dee Trust, Aberdeenshire Council and Marine Scotland all gaining shares. Local to me, a project is looking to provide previously unknown information on salmon and sea trout movements out at sea. I am grateful to Vattenfall for contributing to that important research.

Although we welcome companies investing in restoring our environment, we need the Scottish Government to do more. Legislation has made poaching pearl mussels illegal, but not enough is being done to enforce that. We need to take further steps not only to prevent illegal poaching but to increase numbers of that endangered species, and of host species such as salmon, which are also under threat. We cannot rely only on private companies to make the investment, so I urge the Scottish National Party Government to do more to protect our environment.

12:55

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** I, too, thank Gillian Martin for securing this debate to celebrate world environment day, which was held earlier this month.

This year's theme for world environment day was air pollution, given the shocking fact that nine out of 10 people around the world are breathing polluted air. Even when I travel to and from Edinburgh, I am aware that there is a noticeable change between city life and my Clackmannanshire and Dunblane constituency. Luckily, if I ever feel the need for a lungful of fresh air, I am completely spoiled with some of the best opportunities for hill walking in Scotland. If members wish to stretch their legs in Scotland's most stunning constituency, they are more than welcome to join me—they can bring their own sticks.

If we go on that walk, we might come across the rare and endangered sticky catchfly—a plant for

which I am delighted to be the species champion. Presiding Officer, I was going to test your patience by bringing in a sample of sticky catchfly today, but unfortunately it is endangered and very fragile. It is restricted to just a few sites in Wales and Scotland. It can be found on Arthur's Seat, which is just behind us here in Edinburgh, but it is most often found in the Hillfoots cliffs of the south Ochils, which are lit up by clusters of beautiful pink flowers and are home to the largest population of sticky catchfly in the UK. As species champion, I have the great pleasure of having the opportunity to—

**Bruce Crawford (Stirling) (SNP):** Will the species champion give way?

**Keith Brown:** Yes, I will.

**Bruce Crawford:** I thank the member for giving way, because I need to go to another event, which I am chairing, at 1 o'clock. I am the species champion for the slow worm. Does the member agree that it is a grand thing that the slow worm is one of the most sexually active species on the planet?

**Keith Brown:** I am not entirely sure how to respond to that. I suppose, in the interests of sustainability of the species, that it must be a good thing.

As I said, it is a great pleasure to be species champion for the sticky catchfly and to work with organisations such as the Scottish Wildlife Trust's Stirling and Clackmannanshire local group and Alva Glen Heritage Trust, which has allowed me to learn more about the vital work that they do to protect local biodiversity and to encourage the growth of sticky catchfly. Incredibly important reintroduction work, which has involved seeds being collected from the Yellow Craig cliffs above Blairlogie—with which Bruce Crawford will be very familiar—and grown in allotments in Bridge of Allan, has led to the successful reintroduction of 40 sticky catchfly plants in places such as Alva Glen, where sticky catchfly had become extinct.

The plant is rumoured to have been King James VI of Scotland's favourite flower 400 years ago, and it is down to the invaluable dedication of the Scottish Wildlife Trust's Stirling and Clackmannanshire local group that the plant may be enjoyed—I hope—for another 400 years.

As species champions, we all know how crucial the local work that is done by wildlife groups is in protecting the vulnerable and endangered species that we represent. That great work extends beyond species to the environment itself. We must see the work to protect species as part of wider efforts to tackle climate breakdown.

Under this Scottish Government, Scotland is seen as a world leader in setting ambitious green

targets—and rightly so. My Clackmannanshire and Dunblane constituency is seen as a green leader here in Scotland. Under the Stirling and Clackmannanshire city region deal, my constituency will become the base for Scotland's international environment centre. Investment of £22 million will create a research and policy hub at the University of Stirling, and an environmental business incubator in Clackmannanshire, which will be tasked with providing a comprehensive approach to unlocking inclusive and green economic growth. Stirling and Clackmannanshire will therefore be at the forefront of providing the conditions for Scottish business to prosper in a way that ensures a cleaner, sustainable and healthier environment for the generations that follow.

I hope that today's debate will serve as a powerful reminder that now is the time to act. Locally and nationally, we in Scotland are stepping up to that challenge. I wish to see our ambition being matched by our friends across the UK, the European Union and the world, to ensure that we tackle climate breakdown in order to secure a tomorrow for the species that we champion in the chamber today.

12:59

**Claudia Beamish (South Scotland) (Lab):** I, too, thank Gillian Martin for securing her motion for debate.

World environment day 2019 gives us a poignant reminder of the stark reality that is facing our natural environment. As Gillian Martin's motion highlights, nearly

"one-in-ten ... species are at risk of extinction"

in Scotland, and one in 25 species are under threat world wide. The world is on red alert for its future.

However, progress is being made—we can and must save our biodiversity for future generations, but we must act now. Recently, Scottish Labour announced a climate emergency, as did the Scottish Government, and I was proud to vote in support of that statement in the Parliament. It is an important step in recognising the serious state of affairs. However, I also call on the Scottish Government to declare an environment emergency. When better to do that than in the context of world environment day? I hope that the minister will consider my call and make comment on it.

The interrelationship between climate change and its effects on our environment are increasingly evidenced. We are now unlikely to meet our country's internationally binding 2020 biodiversity targets. We now need a bold and inclusive set of

actions to establish a post-2020 biodiversity action plan. Can the minister give us some reassurance on how that will be developed?

I was happy to see the species champions recognised in the motion and the small part that we can play in highlighting the work of the tireless volunteers and organisations who work to protect various rare and wonderful animals and plants. I am the champion of the forester moth. How they are faring is not well known due to their elusive nature; despite being beautiful, emerald green daytime moths, they are very shy.

When I went to the Mabie forest in Dumfries to do some forester moth spotting, I enjoyed being in the dappled wooded glades and marshlands—the specialised mixed habitat that such moths need—but I did not see a single forester moth. However, Butterfly Conservation Scotland has now developed a pheromone lure—do not worry, it is not something scary—to attract forester moths, so that they can be spotted in different places. I might have better luck next time.

A forester moth has been seen in a new site on Mull, which is very exciting. Last year, forester moth caterpillars were also found for what is probably the first time in Scotland, in Argyll.

Butterfly Conservation is also working with farmers promoting the agri-environment and climate scheme. The scheme encourages farmers to maintain suitable sites for cattle grazing, which is essential for the forester moth. Such schemes and others protecting the rest of our wildlife must not be threatened due to Brexit—whatever the future may hold.

All the Scottish Labour MSPs are now species champions. I will not name and shame anyone in any other party who is not a species champion, but it would be a good story to tell if all the MSPs were species champions. My friend and colleague, Alex Rowley, is species champion for an ant. What type was it?

**Alex Rowley (Mid Scotland and Fife) (Lab):** The narrow-headed ant.

**Claudia Beamish:** Thank you. He is species champion for the narrow-headed ant and has actually spotted them in the Perthshire highlands.

This year's world environment day theme is "beat air pollution". On Tuesday, I was outside the Parliament to support campaigners for Mark Ruskell's Restricted Roads (20 mph Speed Limit) (Scotland) Bill, which we will be considering this afternoon. I believe that the Scottish Government will have a change of heart on that and see how much sense it makes. Let us help beat air pollution as a mark of respect on world environment day, and give relief to those living in poor local environments.

I thank Gillian Martin for giving us the opportunity to look forward to creating robust actions for a better environment, from local to global.

13:03

**Shona Robison (Dundee City East) (SNP):** I, too, thank my fellow champion, Gillian Martin, for securing this important debate. I declare an interest as the species champion for the wild cherry—a tree with white flowers, as distinct from the more common pink cherry tree.

When we think of Scotland's natural heritage, our biodiversity and the threats faced by many species across our land, it is the threat to our native fauna that tends to make the headlines, but our flora is of equal if not more importance, as plants underpin all life on earth.

I recently had the pleasure of visiting a great example of the wild cherry tree, in bloom, in Dawson park in my constituency. The visit was organised by the Woodland Trust Scotland, and I thank the trust for the work that it does on the creation, restoration and maintenance of our woodlands. The trust has identified that at least 46 per cent of our native woodland is in poor condition and around 12.5 per cent of our ancient woodland has been lost to fragmentation and failed regeneration over the past 40 years.

We spoke of woodlands' benefits when tackling climate change and their effect on carbon capture, moderating the local climate, saving energy, flood management, improving our health and clean air. A recent study in Chicago showed that the trees in the city remove 10.8 tonnes of pollutant material a day, and a University of Columbia study has shown that asthma rates among children aged four to five fell by 25 per cent in areas where there was a concentration of trees. The UK has one of the world's highest rates of childhood asthma, with around 15 per cent of children affected and a higher prevalence in lower socioeconomic groups in urban areas, so that is an important benefit of urban woodlands.

I am encouraged that the Scottish Government recognises the importance of woodland and it is to be applauded for its work on afforestation. In 2017, 14 million new trees were planted, which accounted for more than three quarters of tree planting in the UK. The Scottish Government's Scottish forestry strategy notes the importance of urban woodlands and aims to increase urban tree canopy across Scotland's towns and cities—which Dundee does quite well, although there is progress to be made. I welcome that aim and would be interested to learn from the minister what specific steps the Government is considering to support it.

Another benefit that was highlighted on my visit was the positive effects that trees and woodlands can have on people's wellbeing. In Dawson park, alongside the beautiful cherry blossoms sits the Duntrune community garden, which is managed and maintained by the Scottish Association for Mental Health in partnership with Dundee City Council. From the gardens, SAMH runs its chrysalis project, which is a therapeutic horticultural service that works with people to support their recovery journey by developing self-resilience and employability skills. Such examples are important to highlight, because they illustrate the important part that green spaces of all shapes and sizes play not only in protecting the environment but in bringing benefit to the people around them.

If we are to protect Scotland's nature—flora or fauna—raising awareness, engaging with local communities and encouraging them to take action, individually and collectively, are paramount and must be part of our future thinking on these matters. In Dundee, I am proud that that thinking is already firmly embedded in our approach to the protection and enhancement of our urban woodlands. Dundee's strategic plan states that its urban woodlands are a vital element of delivering our vision for the city by helping to build stronger communities and to promote social inclusion and active citizenship through community ownership and local participation in the management of our green spaces.

Having identified the importance of our local woodlands in supporting health and wellbeing, Dundee City Council applied for funding from a variety of sources. It was successful and is to be congratulated on following through on 21 projects. The funding will increase community involvement through the establishment of the Dundee trees and woods in greenspace—TWIG—project.

**The Deputy Presiding Officer:** Could you come to a close, please?

**Shona Robison:** I ask the minister, when she responds, to outline the Government's current thinking on funding for such projects.

**The Deputy Presiding Officer:** Speeches are starting to go over the four-minute mark, which may disadvantage members later on.

13:08

**Alison Johnstone (Lothian) (Green):** I thank Gillian Martin for bringing this important debate to the chamber as we mark world environment day. It has taken decades, but we have finally reached a point when news about our natural environment makes daily headlines. We can no longer claim ignorance of the impact that human activity is having on the natural ecosystems that sustain

us—although, sadly, a few prominent individuals continue to do so.

I congratulate the efforts of environmental non-governmental organisations that have contributed to that growing awareness, including members of Scottish Environment LINK and its “Scotland’s Nature on Red Alert” report. The report brings home the realities of what biodiversity loss might look like in Scotland: fewer wild salmon as the water temperatures of our rivers and oceans rise; fewer kittiwakes—although they are a common sight along our coastlines, they have already seen their population decline by 66 per cent; and some native woodland plants could disappear as climate change intensifies.

As the report makes clear:

“Our habitats and species are of value not just in their own right, but also for the ecosystem services they support and on which we all depend.”

That is why the findings of the intergovernmental science-policy platform on biodiversity and ecosystem service should be a call to action.

The scientists have shown that nature faces more trouble now than at any other point in human history. Because of pressures from human society, including expanding agricultural lands, overfishing and pollution, 1 million species may be pushed to extinction in the coming decade, with extraordinary consequences for life on this planet. That has major implications for our food systems, human health and water security.

The future might seem bleak, but the co-chairman of the IPBES report, Professor Josef Settele, has stressed that society can mitigate many of the worst effects by changing the way that we grow our food and the way that we generate energy, by our response to the climate emergency, and by how we recycle our waste. The key message from that scientist is that we need transformative change.

Individuals can act, of course. We can change our diets, choose active travel, and reduce our consumption to limit demand for natural resources. However, we must acknowledge that 90 companies are responsible for two thirds of all greenhouse gas emissions in the industrial age, and they have to change their behaviour.

The situation also puts a responsibility on national Governments and, indeed, Parliaments around the world to respond, including in Scotland. We are fast approaching the end date of Scotland’s 2020 biodiversity road map, but one in 11 Scottish species is at risk of extinction, and we are on track to meet only seven of the 20 targets set by the international community to protect biodiversity.

There is a tendency for us to focus overwhelmingly on the aspects of the interlinked climate and environmental emergencies that affect humans, but our policies and actions need to recognise that our plant and animal species are valuable in their own right. I am a passionate species champion for the brown hare and the mountain hare, and I am well aware of the impact that climate change is having on the mountain hare. Mountain hares’ snow-white winter coats mark them out to predators in our warmer winters, in which some hillsides see no snowfall.

Thankfully, many of the actions that we need to take to address the climate emergency involve restoring our natural habitats, which will be critical in tackling the biodiversity crisis. That includes restoring our peatlands, planting native woodland species, holding back from building new roads, and applying smarter planning principles to ensure that our towns and cities incorporate the maximum amount of green space.

In closing, I want to mark the work of the late Polly Higgins, who was an inspirational lawyer who campaigned throughout her life for the crime of ecocide to be established in international law. Ecocide is the loss and damage of ecosystems by corporate and state actors. Polly Higgins was determined that there should be a higher accountability for crimes against nature. In 2010, she presented her proposal to the United Nations, and she continued to champion the cause until her untimely death in April this year.

I hope that the Scottish Parliament can find the opportunity to continue the work to strengthen the protections for wildlife and habitats in this country and fight the climate and environmental emergency.

**The Deputy Presiding Officer:** I ask the remaining speakers to consider making their speeches three and a half minutes.

13:12

**Angus MacDonald (Falkirk East) (SNP):** As Gillian Martin’s welcome motion highlights, world environment day was on 5 June. The day has helped to give focus to the need for nature-based solutions to be deployed to tackle climate change and to make our nature more resilient.

It is clear that the Scottish Government is making significant progress in tackling climate change, but we need to up our game and address biodiversity loss as well. As we know, we are in a climate emergency. According to Scottish Environment LINK, which was represented at an event that I hosted yesterday, we are also in an ecological emergency. There is no doubt that we must redouble our efforts to protect our

environment and reverse the effects of climate change.

The importance of protecting our environment cannot be overstated, of course. It is a fact that sea levels are rising and that we are seeing more extreme weather events than ever before. Insects and invertebrates are in decline, not entirely through climate change but also through habitat destruction and biodiversity loss—which, in turn, is affecting climate change and our environment.

One way to keep the issue on everyone's radar is through the species champion initiative. Buglife Scotland tasked me with being the species champion for the bog sun-jumper spider—or *Heliophanus dampfi* to those of us who are more acquainted with the wee critter. I assure members that it is cuter than it sounds—it is not cuddly, but it is cute. Unfortunately, like Gillian Martin, I have not acquired any spider-like powers since I became the species champion for that spider, but I live in hope—I think.

At just 3mm long, the spider might be very small but it has huge character. It is mainly black in colour, but it has distinctive and striking iridescent green mouth parts. It is also incredibly rare: it is found in only six places across the UK, five of which are in Scotland and one of which is in Wales. Two of those places are in my Falkirk East constituency. Coal-bed methane extraction in my patch was a further threat to this little spider, so the Scottish Government's effective ban on fracking has had another otherwise unknown but positive unintended consequence.

The little spider lives in lowland raised bogs—habitat that is crucial in tackling climate change. Unfortunately, raised bogs have declined by more than 90 per cent over the past 100 years, with the majority of bogland left damaged and in poor condition. Protecting our remaining peatlands is essential. Not only are they important for threatened wildlife, but they also store and regulate huge amounts of carbon and water, helping to reduce greenhouse emissions and prevent localised flooding.

Around eight years ago, the RSPB proposed a levy for peat use in horticulture and the UK Government published a white paper setting out its ambition for the horticulture sector to end its use of peat by 2030 through voluntary partnership. No levy has been forthcoming, unfortunately, but the Scottish Government could act where the UK Government has ultimately failed by looking into the possibility of implementing a levy on horticultural peat use. A welcome development would be consideration of new regulations on the labelling of products containing peat that are sold in Scotland, and another positive step would be to consider stopping the use of peat altogether by public bodies, including local authorities.

Scotland's peatlands are internationally important; yet, despite that, peat extraction continues. I hope that the issue stays on the Government's radar over the next few years.

13:16

**Finlay Carson (Galloway and West Dumfries) (Con):** I thank Gillian Martin for bringing this debate to the chamber. I am delighted to speak in it and to follow on from Spiderman. Members will be aware that Robert Pattinson has been confirmed as the new Batman, but they perhaps do not know that I am the Scottish Parliament's very own Batman, as I am the species champion for the Leisler's bat. However I, too, have not been bitten by a member of the species that I champion, and I have not brought my cape.

I thank Liz Ferrel for providing a briefing for the debate, outlining how bats can enhance the national environment and detailing the threats that they face. As predators of common insects, bats can tell us a lot about the state of the environment, and they are sensitive to changes in land use. Many of the pressures that bats face, such as landscape change, agricultural intensification, development and habitat fragmentation, are relevant to other wildlife species, which makes bats excellent indicators of the wider health of the UK's wildlife.

Although bats can provide a valuable service for agriculture, some historical agricultural practices have had a detrimental impact on bats. The use of pesticides meant that bats suffered from a lack of insect prey. The practice of removing hedgerows and woods from farmland is also concerning, as bats often rely on those features for roosting, hunting and getting around. Indeed, the Leisler's bat roosts not in roofs but in woodlands. There is a large colony in the Wood of Cree, which is just up the road from my home.

It is welcome that the national bat monitoring programme says that populations of bats are recovering and beginning to stabilise, although that has not always been the case. We want to continue the pursuit of positive environmental legislation, as it is vital that that continues. That is why I am backing calls from the Bat Conservation Trust for the Scottish Government to immediately take action to reverse biodiversity loss and clearly lay out what it hopes to achieve after 2020. It is disappointing that, at the moment, the Government is failing to meet its targets around habitat loss, the control of invasive species and the extinction of other species.

The Government needs to significantly increase its efforts ahead of 2020 and must look now at measures that can be implemented to ensure that biodiversity is not reduced. One way in which that



could be achieved is through establishing a national ecological network, which would give us a practical, strategic and long-term way in which to invest in natural assets such as peatland and woodland, which can, as we know, store carbon.

It is not only bats that are affected by changes in our natural environment. The Galloway Fisheries Trust has been doing some fantastic work in my constituency to save the sparling in the River Cree. The sparling—or the cucumber fish, because it smells like cucumber—was found in various Scottish rivers in the past but died out because of overfishing, pollution or barriers preventing it from reaching its spawning grounds.

Records show that, historically, up to 6 tonnes of sparling, which equates to about 50,000 fish, were being caught in the River Cree alone. During the sparling's annual migration, children would grab the fish out of the river and take them for their tea. However, there has been a huge decrease in numbers, and the River Cree is now one of only three rivers in Scotland in which the fish are found. The Galloway Fisheries Trust project was a two-year scientific and educational initiative that was aimed at restoring the fish populations. It held community events to reconnect the community with the sparling's heritage, and local schools were involved. The lower Cree has been designated a site of special scientific interest in order to protect the rare fish, and it is hoped that the population can be successfully increased.

The debate is an important one, as it comes at a time when we are all looking to protect our environment. I hope that some of the points that have been raised today can be taken forward positively.

13:20

**Gail Ross (Caithness, Sutherland and Ross) (SNP):** I, too, thank my colleague Gillian Martin for bringing this important debate to the chamber today.

I am the species champion for the red squirrel, but I am proud to say that I am also the very first species champion for seagrass. Seagrasses are flowering plants that have adapted, over millions of years, to life in the sea. The meadows that seagrasses form play an important role in keeping our oceans healthy and stocked with food. They provide a home for all kinds of marine life including food fishes, such as juvenile cod and plaice, and endangered species, such as seahorses. Additionally, seagrasses absorb large amounts of carbon dioxide from the surrounding sea water and have an important role to play in tackling the climate emergency.

However, like so many species, seagrass has not been immune to global declines. Research

that is taking place at University College London provisionally estimates the current extent of UK seagrass to be a little bit more than 8,500 hectares, which is down from about 76,000 hectares at the turn of the 20th century. That is an estimated loss of nearly 90 per cent of our coastal seagrass meadows in just 100 years. Even if we make a cautious estimate from the data, it is abundantly clear that we have lost more than three quarters of our seagrass meadows and, with them, the ecosystem services that seagrass meadows provide.

Today, we are tackling both a climate crisis and a biodiversity crisis that were started many generations ago and that have only increased in severity through decades of intensified industrial production and global economic expansion. It is clear that our response to those challenges must be twofold: we need to consider what we can do now to stop further losses from current practices and what can be done to restore habitats that have been degraded by what has happened in the past.

The good news is that, over the past decade, an increased understanding of the reproductive biology of seagrasses and their environmental requirements has led to vast improvements in the capacity of scientists to restore the meadows. In Scotland, we have two seagrass species—eelgrass and dwarf eelgrass—which have both suffered losses. Their reintroduction into known previous sites provides a significant opportunity to enhance their recovery and support biodiversity.

The UK is a signatory to the Paris climate agreement, which emphasises the critical importance of conserving seagrasses and other blue carbon ecosystems. Seagrass meadows rapidly store organic carbon from sources inside and external to the meadow in sediment that remains locked up and stable for very long periods of time.

I could go on, but I know that my time is limited, and I will respect that.

Our seagrass meadows are very precious. Organisations such as Project Seagrass are undertaking fantastic mapping and restorative work, and I thank Dr Richard Lilley and his team for all the hard work that they do, not just here but all over the world. I ask people who are watching the debate to please help us to save our seagrass. Join Project Seagrass, become a seagrass spotter and ensure the survival of this vital part of our ecosystem.

13:24

**Lewis Macdonald (North East Scotland) (Lab):** Last month's UN report on biodiversity was clear that our global ecosystem faces a crisis that

is on a par with the threat from climate change and that urgent action is required. That has implications for policy makers everywhere, including here in Scotland.

Since 2013, I have been species champion for the curlew, which is a barometer of biodiversity. It has suffered catastrophic decline in Ireland and it is now one of the most pressing conservation priorities for Scotland and across Britain. It is time to step up the actions taken in its defence.

Of the issues that affect the future of the curlew I will highlight just two, for which Scottish Government ministers have responsibility, and I will ask whether our public policy priorities need to change in those areas.

One issue is predator control in Strathbraan. MSPs recently received an open letter from those who are involved in curlew conservation action in that area, and their conclusions should concern us all. They argue that measures to control predation by ravens on breeding curlew are essential, as part of a balanced programme of wader conservation, and that without such targeted conservation action, species such as the curlew will be lost. They call for the Scottish Government and Scottish Natural Heritage to press ahead this year with bold conservation measures in Strathbraan and elsewhere. If that does not happen, they say that it might come to be seen as a defining moment, when the battle to save the curlew was lost.

As species champion for the curlew, I will seek a detailed response from ministers and SNH, and I welcome any comments on that topic that the minister might offer today.

A second specific example is in Gillian Martin's constituency, where Transport Scotland is considering rerouting the A96 away from Inverurie and building a new dual carriageway through farmland and semi-natural habitats to the north and east of the town. RSPB Scotland says that that area contains moderate clusters of breeding curlew, which would be disrupted and potentially displaced if that option was selected for the A96 project. If we are serious about tackling the biodiversity crisis, the breeding sites of endangered species need to be given the priority that they deserve by transport and infrastructure ministers, as well as by environment ministers.

Of course, good things are going on, and we should celebrate them. RSPB Scotland's trial curlew management project monitors breeding numbers, predator activity and habitats in key sites in Scotland and across Britain, to establish what more should be done to protect the species. SNH has been supportive of such work in past years and I hope that it will be again.

Last month, I was lucky to visit the demonstration farm run by the Game and Wildlife Conservation Trust at Auchnerran near Tarland, which the minister is familiar with. I saw how efforts to support one species bring benefits to others. For example, in that case, curlew, lapwing and oyster-catchers all thrive in what is both an eco-friendly and commercial agricultural environment.

We need more such projects to support biodiversity. We need policy makers in Government, here and worldwide, to be clear about their priorities and to take decisions that will make a difference to species such as the curlew, for the sake of future generations.

13:27

**The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon):** I will do my best to get around to the many points that members have raised. As ever, it has been an interesting and enjoyable debate.

I thank Gillian Martin, because I always look forward either to responding to this debate or, when I was not a member of the Government, speaking in it. It is one of the highlights of the year, not least because of all the weird and wonderful stories that it tends to bring to light. We discover that we have a number of superheroes across the chamber, such as Finlay Carson and Angus MacDonald. One year, in relation to the yew tree, Gillian Martin regaled us with tales of her goth days. Today did not disappoint. I did a quick search for Gillian Martin's potential superhero powers. We might need a catchier name than "seal woman" but she has some great powers and behaviours to look forward to, such as high intelligence—of course, she already has that—travelling, foraging, resting, mating, pupping, digesting, socialising and moulting.

Bruce Crawford made an interesting intervention about the sexual activity of slow worms as Keith Brown spoke about the sticky catchfly.

The species champion initiative covers species on land as well as in the sea, and plants as well as animals. Shona Robison raised the important point that plants underpin all life on earth. This initiative is important because it covers such a wide variety and diversity of species.

I thank everyone for their contributions, which not only were enjoyable but got to the heart of some of the most serious issues that we face today. We realise from listening to the speeches that there is a very delicate balance to our environment and, as Lewis Macdonald has just pointed out, species such as the curlew act as a barometer for biodiversity and a gauge for how the environment is doing. That is why I thank Gillian

Martin for the event that she held in Parliament with Scottish Environment LINK on world environment day last week, which highlighted not only some of the major challenges that we face but the ways in which all of us in society can do something about the situation.

Much of the fight has been led by our young people. Last week's event was attended by the Sunnyside ocean defenders, who personally handed me their contributions to the consultation on our proposed environmental governance and principles. I also want to mention the Ullapool sea savers. Young people are really at the vanguard of some of the action that we are seeing at the moment.

It is also important to remember that Scotland is not only taking action but leading the world with the ambitious targets that we are putting in place. With our recent amendments to the Climate Change (Emissions Reduction Targets) (Scotland) Bill, we are aiming for net zero emissions by 2045. If we achieve that, it will mean that, within a generation, Scotland will no longer be contributing negatively to climate change.

A number of members have mentioned the recent global assessment of biodiversity that has highlighted the serious impacts of the biodiversity loss that is happening around the world. That report underlines the links between biodiversity loss and climate change; indeed, members will have heard the First Minister say in response to a question from Claudia Beamish that biodiversity loss is as important as climate change. As with climate change, we want Scotland to be at the forefront of addressing those issues.

From the hard-working pollinators that sustain our ecosystems to our keystone species, we have taken action to address the climate emergency. Pollinators are a vital part of our biodiversity and wider environment—many of our native wildflowers, shrubs and trees would be unable to exist without them—and bees and hoverflies also provide the backbone for much of Scotland's agriculture, contributing around £43 million to the economy each year. In 2017, we set out a 10-year pollinator strategy for Scotland to make our country more pollinator friendly and to halt and reverse the decline in native pollinator populations.

With regard to other species that we have, I highlight our red squirrel population, which is championed by Gail Ross, who, like Gillian Martin, is a champion of land and sea, with a few species to their name. That population was seriously in decline, due to their invasive non-native cousins, the grey squirrels, but thanks to the work of the saving Scotland's red squirrels project, they are now returning to areas in Aberdeenshire and Tayside where they had previously disappeared.

However, there is, as always, so much more that we need to do, and a number of members—particularly Finlay Carson, Claudia Beamish and Alison Johnstone—made that point during the debate. As far as biodiversity is concerned, we want Scotland to be the first country to carry out a thorough analysis of what we are already doing, the areas where we need to do more and what we should be doing differently, and we aim to write to the Environment, Climate Change and Land Reform Committee with our initial assessment by the end of 2019.

Alison Johnstone asked about our biodiversity targets. We are on track to achieve seven out of the 20 that were agreed by the international community in Aichi in 2010, and we are progressing towards another 12. However, we have to step up and do more if we are going to meet the 2020 deadline.

That is where species champions can play such a key role. It will come as no surprise that, as champion for the hen harrier—something that was mentioned during the debate—I feel very passionately about the species champion initiative, and it is clear that many in the chamber feel the same way. The initiative was relaunched in September 2016 and, to date, 104 MSPs—or 80 per cent of the Parliament—are now species champions. However, I want to echo Claudia Beamish's call for the remaining 20 per cent to join in; it is not too late to sign up, and I really want 100 per cent of MSPs to be involved.

Before I finish, I want to do my job as species champion and draw people's attention to the hen harrier. I represent a constituency where the harrier should be thriving; however, it is not. As we are all aware, deliberate and illegal persecution continues to threaten the very existence of raptors, and we need to end it. There are a number of on-going projects that are geared towards growing and sustaining raptor populations in Scotland. For example, the heads up for harriers project works with estates to identify, monitor and thereby protect hen harrier nests. At the end of 2017, we set up an independent group to conduct an in-depth review of how grouse moor management can be made sustainable and compliant with the law, and one of the key issues that is being examined is raptor persecution. Led by Professor Werritty of the University of Dundee, the group is due to report later in the summer.

There is also the partnership for action against wildlife crime in Scotland, which comprises a variety of organisations and sectors, including the police, the shooting industry, the science community and conservation groups, the ultimate aim of which is to reduce raptor crime. In response to Alexander Burnett, I point out that I chaired a meeting of that group yesterday; it has a sub-

group on freshwater pearl mussels that is considering all the issues in that respect.

Unfortunately, however, even with so many groups working together, harrier conservation efforts are continually being let down. In the last few months, for example, we have seen the disappearances of hen harriers Marci and Skylar. The Government, though, is committed to doing more and, indeed, to doing all that we can to end this persecution.

It is fantastic to have been able to focus on the wonderful diversity of our species in Scotland and to hear the enthusiasm and commitment of members in the chamber. The debate has also raised awareness of some of the serious issues that we face in Scotland, but I want to say again that the Scottish Government is taking the matter very seriously and is taking action to prevent further biodiversity loss. I hope that the debate has prompted us all to consider what further action we need to take to protect our native species and enhance biodiversity right across Scotland.

**The Deputy Presiding Officer:** That concludes the debate. The meeting is suspended until 2 o'clock.

13:36

*Meeting suspended.*

14:00

*On resuming—*

## Scottish Parliamentary Corporate Body Question Time

**The Deputy Presiding Officer (Christine Grahame):** Good afternoon. The next item of business is Scottish Parliamentary Corporate Body questions. Question 1 has been withdrawn.

### Pension Scheme (Fossil Fuels)

**2. Claudia Beamish (South Scotland) (Lab):** To ask the Scottish Parliamentary Corporate Body what its response is to the call by just transition for the divestment of its pension scheme from fossil fuels. (S5O-03392)

**Kezia Dugdale (Scottish Parliamentary Corporate Body):** I recognise Claudia Beamish's longstanding commitment to the just transition agenda. However, I say to her from the off that there is a clear separation of duties between the SPCB and the fund trustees, in order to avoid any sense of a conflict of interest.

To set it out in detail, under schedule 1, part B, rule 8 of the Scottish Parliamentary Pensions Act 2009, the corporate body is responsible for the appointment of fund trustees. Under schedule 1, part D, rule 32 of the act, the corporate body is also responsible for providing the funding for the employer pension contributions. Schedule 1, part B, rule 5 of the act sets out that the fund trustees are responsible for the governance, management and administration of the scheme and for the management of the scheme's assets. That includes decisions about investments. Any decision about divestment is therefore a matter for the fund trustees and not for the corporate body.

**Claudia Beamish:** I understand that division which Kezia Dugdale has helpfully explained for the record. This is an opportunity to recognise the legal fiduciary duty of the pension trustees, the pension fund responsibilities and indeed the division of responsibilities and the reasons for that.

With the forbearance of the Presiding Officer, I would like to highlight that a number of members of the Scottish Parliament have recently signed a divest Scotland pledge, which says:

"I pledge to support the Scottish Government and Parliament divesting from fossil fuels and investing in a just transition to a zero carbon economy over an appropriate time-scale."

I am not in any way asking for reassurances, because that would not be appropriate. However, would it be appropriate for the corporate body simply to highlight the pledge to the fund trustees, which I will also do?

I recognise that, in addition to safeguarding the financial stability of our funds, work is being done to further explore the wider ethical considerations, such as climate change—

**The Deputy Presiding Officer:** Thank you—I will stop you there. I think that we have the gist, and Ms Dugdale has made the corporate body's position clear. However, she may want to give a brief response.

**Kezia Dugdale:** I welcome Claudia Beamish's response and I reiterate how aware we are of our responsibilities not to go beyond the scope of the 2009 act. I add that the fund manager operates an environmental, social and corporate governance policy that is in line with the United Nations principles for responsible investing, which we are a signatory to, so those things are considered. However, it is a matter for the fund trustees, and the member is perfectly placed to make direct representations to those members.

**Murdo Fraser (Mid Scotland and Fife) (Con):** Tens of thousands of Scottish workers are currently employed in the oil and gas sector, and this Parliament is meant to represent the whole of Scotland. Does the member not agree that it would send an unfortunate message from the Parliament's corporate body, on behalf of the Parliament, if we were to divest ourselves from a sector that is responsible for supporting so many Scottish families and their jobs and livelihoods?

**The Deputy Presiding Officer:** I think that these questions are a bit wide of the mark, Ms Dugdale, but it is up to you to say whether you think so, too.

**Kezia Dugdale:** I simply remind the member that that is beyond the scope of the responsibilities of the corporate body, and I refer him to his own party's representative on the fund.

### Parliamentary Events (Equality of Access)

3. **Elaine Smith (Central Scotland) (Lab):** To ask the Scottish Parliamentary Corporate Body how it ensures equality of access for those wishing to hold parliamentary events onsite. (S5O-03395)

**Liam McArthur (Scottish Parliamentary Corporate Body):** Any organisation can hold an event at the Scottish Parliament as long as it fulfils the SPCB's agreed criteria for member-sponsored events, including the completion of an event request form and securing a sponsoring member for an event that all members will be invited to attend. If the event meets the criteria, it is allocated accordingly, and an events officer works with the event organiser to ensure completion of all the planning, organisation and delivery of the event.

To ensure equality of access for member-sponsored events, there is no charge for venue hire or for the Parliament's audiovisual equipment, such as plasma screens with built-in personal computers. However, any hired-in services—for example, catering or additional audiovisual equipment such as a public address system and video recording equipment—are charged back to the event organiser.

**Elaine Smith:** I am thinking of events beyond those that are organised through the events team. In my first speech in the Parliament, 20 years ago, I promoted the need for an accessible Parliament building with a crèche, an arena for trade and industry exhibits, innovative recess schemes for young people and a resource for community groups. Some of that has happened, but I did not expect the creeping commercialisation of events, which is pricing people out of using the building unless they can get corporate sponsorship.

Is the SPCB aware that the costs that are associated with additional necessary equipment—such as microphones and a PA system, which are needed to assist the hard of hearing and allow access to an induction loop—are prohibitive for many organisations and MSP-sponsored events? Will the SPCB look at removing such barriers, in line with the Parliament's founding principles, which emphasise accessibility and equality of access?

**Liam McArthur:** I agree entirely that a founding principle of the Parliament is accessibility, on which we have a strong track record. I am interested in the specifics of Elaine Smith's concerns if they relate to a particular incident.

The committee rooms are all fitted with induction loops, and the members room has a mobile induction loop although, for obvious reasons, we would not necessarily want to have that on permanently. Support is there for events, and it is not unreasonable for the Parliament to draw a distinction between member-sponsored events and other activities that take place. It is right for the costs that are incurred to fall on the event organiser, and that does not necessarily inhibit the accessibility of the Parliament, which has a fairly proud record of hosting a wide range of events in any given year.

**Maurice Corry (West Scotland) (Con):** We get poor information technology support to run cross-party group meetings. On several occasions, CPG members have had to scurry around to try to find a technician—not long ago, I had to haul somebody off a line at a bus stop and beg him to come back in to sort out an IT issue, because we had two presentations to see. That does not represent the Parliament well to the people we encourage to come to CPG meetings. What will the corporate body do to ensure that CPG conveners have the

confidence that we can reliably deliver presentations for people who come in for our meetings?

**Liam McArthur:** It is important to point out that cross-party groups have access to Parliament facilities such as rooms and the IT equipment in those rooms, but it would be a step beyond what is reasonable to provide parliamentary staffing to support CPGs. That has never been provided and the Parliament has never met the costs of running CPGs, which sit distinct from member-sponsored events. The technology should be made available, but we cannot get into making staff available.

Maurice Corry is right that, when staff are on hand, they are invariably more than willing to help out. However, it is incumbent on the organiser of a CPG event—whether that is the convener or the secretariat—to identify IT needs in preparation for the event and ensure that the equipment is there and is functioning properly. I am aware that issues sometimes arise with password access, but that is about the CPG's preparation rather than about asking the Parliament to go beyond what it does at the moment to support CPGs.

**Claudia Beamish (South Scotland) (Lab):** Will Liam McArthur take back to the corporate body that, if we have the equipment, we need the support? A lot of marginalised communities, groups and individuals come to a wide range of CPG meetings. To be frank, I am disappointed by the response that the equipment is there—we are not all IT experts, and I have been put in the same position as Maurice Corry in the past. I ask Liam McArthur to take that back to the corporate body, please.

**Liam McArthur:** I am happy enough to ask the corporate body to reflect further on the matter. I am not sure whether Claudia Beamish is asking the corporate body for a fundamental rethink of our relationship with CPGs. If we go down that track, there is a risk that we will end up in a situation where we are not only providing IT support but supporting the groups in the same way that we support member-sponsored events. That has a whole series of consequences that Claudia Beamish may wish to reflect on.

On IT support, we have all been in situations at the start of meetings where passwords have not been put in correctly and there have been glitches in the system. All that does is re-emphasise the need to ensure that, in the preparation for such events, consideration is given to the IT requirements.

Parliament staff are more than willing to provide whatever support they can, but requiring parliamentary staff to be here and on hand to provide on-going support for CPGs that can go on until fairly late in the evening would put a strain on

parliamentary staff and on parliamentary resources, which would have consequences that Claudia Beamish may want to reflect on further.

## Portfolio Question Time

### Government Business and Constitutional Relations

14:11

**The Deputy Presiding Officer (Christine Grahame):** The next item of business is portfolio questions on Government business and constitutional relations. I remind members that questions 1 and 8 have been grouped together. I will therefore call question 1 and its supplementary, and then question 8 and its supplementary. If members wish to ask a further supplementary to either of those questions, they should press their request-to-speak buttons after question 8 has been asked. In fact, they can do so during question 1—I am not bothered either way.

#### Referendums (Scotland) Bill

**1. Bill Bowman (North East Scotland) (Con):** To ask the Scottish Government what progress it is making with the Referendums (Scotland) Bill. (S5O-03374)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** The Referendums (Scotland) Bill was introduced to the Parliament on 28 May. The Finance and Constitution Committee has been designated as the lead committee for the bill, and it will consider its timetable.

**Bill Bowman:** The bill gives Scottish ministers the power to call referendums and to set referendum questions, a power that United Kingdom ministers do not have. Why do Scottish ministers need those powers?

**Graeme Dey:** I think that Mr Bowman's question is based on a slightly false premise. The idea that the Scottish Government decides upon something and that that is an end to it is simply not the case.

In the first instance, the framework bill will be scrutinised by the Finance and Constitution Committee, as I have just said. Given that its membership comprises Adam Tomkins and Tavish Scott among others, I am in no doubt whatever, seeing the glint in Mr Tomkins's eye—

**Adam Tomkins (Glasgow) (Con):** Oh, yes.

**Graeme Dey:** Well, there we go. I am in no doubt whatever that the scrutiny will be intense, as indeed it should be. As with any bill, the Referendums (Scotland) Bill will be open to amendment. Parliament is currently taking on the role of debating and approving the rules and procedures for Scottish referendums to ensure that the framework commands public confidence

that referendums will be fair and open and in line with established best practice.

In the second instance, if the bill passes, it would thereafter be a matter for Parliament, as well as for Scottish ministers, to decide whether it is appropriate to hold a referendum on a particular topic.

#### Referendums (Scotland) Bill

**8. Graham Simpson (Central Scotland) (Con):** To ask the Scottish Government under what circumstances it would consider using the provisions in the Referendums (Scotland) Bill. (S5O-03381)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** A standing framework for referendums is a normal and reasonable thing for a Government and Parliament to have at their disposal. When ministers bring forward proposals for a referendum, it will be for Parliament as a whole to decide and vote on those matters.

**Graham Simpson:** I am sure that the minister wants to maintain that the bill is about referendums in general and not independence in particular. Can he say what questions other than independence Scottish ministers think should be determined by referendum in Scotland?

**Graeme Dey:** In the years to come, this Government, or any Government, can bring forward questions in a referendum.

Let us be absolutely clear about this: it is for the Scottish Parliament, not Tory politicians at Westminster, to decide whether there should be an independence referendum in Scotland. That position is consistently supported by a clear majority of people in Scotland, and it is time that the Tories started supporting this Parliament, instead of undermining it.

**Claire Baker (Mid Scotland and Fife) (Lab):** The citizens assembly has been framed as a space for open discussion and balanced debate, but how can that be possible when the Government has introduced a referendum bill and has thereby so clearly indicated what it sees as the inevitable conclusion of the assembly's discussions? How can we have meaningful debate about Scotland and the UK's constitutional future when there are clear implications for other nations?

In addition to those questions—

**The Deputy Presiding Officer:** Well, not too many additions.

**Claire Baker:** It is a very slight addition. What plans does the Government have to involve the UK in discussions in the citizens assembly agenda?

**Graeme Dey:** The citizens assembly will run parallel to the process and, as far as I have seen, the approach has been widely welcomed, by most people. I repeat the point that Mr Russell made and ask all parties and wider Scotland to get involved and help to shape the assembly. That is in the interests of all of us.

**The Deputy Presiding Officer:** Question 2 was not lodged.

### United Kingdom Government Constitutional Policy

**3. Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** To ask the Scottish Government what impact it anticipates the appointment of a new Prime Minister will have on its relations with the United Kingdom Government on constitutional policy. (S5O-03376)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** The Scottish Government hopes that whoever becomes Prime Minister will begin to treat with respect the views of this Parliament and the people of Scotland on the issues that are raised by Brexit and beyond.

When Theresa May came to office, she said that the Scottish Government would be “fully involved” in Brexit discussions. She then proceeded to ignore the Scottish Government, dismiss votes in this Parliament and disregard the overwhelming majority in Scotland for remaining in the European Union. It should be said that a pretty similar level of disdain has been shown to Wales.

The Scottish Government is always ready to cooperate and work jointly on the basis of equality, respect and trust, but the Tories, instead of treating us as an equal partner, have treated Scotland with contempt, and the on-going horror show that is the Tory leadership contest suggests that the situation will get worse, not better.

**Dr Allan:** The person who today came to the top of the leader board to be Prime Minister has previously indicated his disdain for public spending in Scotland, and one of his competitors—the one who is favoured by the Scottish Conservatives’ leader—has gone as far as to call the very existence of the Scottish Parliament an act of “constitutional vandalism”. Is Westminster’s respect for the Scottish Parliament’s role buried or merely dead?

**Graeme Dey:** Indeed. I think that the people of Scotland can see through the arrogance that underpins what comes out of the Tory leadership election. Ruth Davidson’s favoured candidate says that he will not “allow” the people of Scotland to make the choice about their future, even as he and other Tory leadership candidates prepare to take Scotland over the cliff edge of a catastrophic no-deal Brexit. That is perhaps one reason why, in

the European Parliament elections, the Tories received less than 12 per cent of the vote in Scotland.

It is not just on the constitutional issue that the Tories are treating Scotland with contempt. Boris Johnson wants to give the highest earners south of the border a huge tax break, paid for in part by a tax increase for people in Scotland. That demonstrates why, more than ever, Scotland’s future needs to be in Scotland’s hands.

**Adam Tomkins (Glasgow) (Con):** Intergovernmental relations are currently under review; the review is being led by the Cabinet Office, at the heart of Whitehall. I do not know what the review’s conclusions will be, but if the review recommends that United Kingdom intergovernmental relations be placed on a statutory footing, will the Scottish Government support that recommendation and, if so, does it follow that, in the Scottish Government’s view, disputes about intergovernmental relations should become questions of law for resolutions in the Supreme Court?

**Graeme Dey:** Mr Tomkins is getting a little ahead of himself as to where we are on this. He is right to say that there is a review of intergovernmental relations. However, I say gently to him that I am involved in some of the Brexit work on behalf of this Government, and it is every bit as bad on the inside as it looks from the outside. Therefore, in the first instance, we need to find a way forward that is not dictated by Westminster but mutually agreed across all the Administrations in the UK. If we can find agreement on that, we might make progress, but we are a very long way from that.

### Legislative Programme 2018-19

**4. David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government what progress it has made in implementing its 2018-19 legislative programme. (S5O-03377)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** Of the 12 bills that were announced in the year 3 legislative programme, three have already been passed. Of the remainder, six are currently going through the parliamentary process; they have been joined by the Referendums (Scotland) Bill. The other three will be introduced ahead of the next programme for government.

However, as I noted when I discussed the matter with the Standards, Procedures and Public Appointments Committee recently, delivery of all Government legislation is subject to the potential impact of the unwelcome requirement to divert resources to prepare for a no-deal Brexit.



It is worth noting that, earlier this year, the progress of a number of bills was paused because of Brexit. In addition, relatively recently, in a spirit of co-operation, the Government has agreed to requests from the Equalities and Human Rights Committee, the Rural Economy and Connectivity Committee and the Environment, Climate Change and Land Reform Committee that they be granted timetable extensions because of their desire to take further evidence on bills or to manage workload pressures. Despite all of that, we anticipate that 14 bills will secure royal assent throughout the course of 2019, which will be one more than in 2018.

**David Torrance:** The minister will be aware of the claim by Tory members that the Scottish Government needs to get on with the day job. For the benefit of the Tories, perhaps the minister could highlight some of the legislation that the Scottish National Party Government has had passed since it was elected in 2016.

**Graeme Dey:** I think that I would incur the Presiding Officer's wrath if I were to list all the legislation that has been passed since 2016—

**Adam Tomkins (Glasgow) (Con):** Go on!

**Graeme Dey:** I will give a taster, particularly for Mr Tomkins.

Although other places have been left paralysed by Brexit over the past few months, this Parliament has got on with the day job. Seven bills—the Health and Care (Staffing) (Scotland) Bill, the Age of Criminal Responsibility (Scotland) Bill, the Vulnerable Witnesses (Criminal Evidence) (Scotland) Bill, the Human Tissue (Authorisation) (Scotland) Bill, the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill, the South of Scotland Enterprise Bill and the Census (Amendment) (Scotland) Bill—have completed their stage 3 consideration since the beginning of last month, and two more bills are set to follow suit before the end of this month. As I said, we are getting on with the day job.

### **Brexit (Impact on Immigration)**

**5. John Mason (Glasgow Shettleston) (SNP):** To ask the Scottish Government what recent consideration it has given to the impact of Brexit on immigration. (S5O-03378)

**The Minister for Europe, Migration and International Development (Ben Macpherson):** It is increasingly well known that migration is crucial to Scotland's future prosperity, and that any reduction would damage our public services, labour market, demographic profile and local communities.

The independent report from the expert advisory group on migration and population that was

published in February this year stated that the United Kingdom Government's immigration proposals could lead to a 30 per cent to 50 per cent reduction in net migration to Scotland over the next two decades, which would lead to a decline in our working-age population of up to 5 per cent.

The Scottish Government has consistently made it clear that freedom of movement and all the advantages that it brings should be allowed to continue in Scotland. The Scottish Parliament increasingly needs additional powers to tailor migration policy to meet Scotland's needs.

**John Mason:** I wonder whether the minister has seen the NFU Scotland news release dated 4 June, which is headed, "Shortage Occupation List Review Falls Short on Industry Labour Requirements". That applies to the requirements not only of the agricultural sector but to those of other sectors. The news release states:

"While the Review notes issues raised by NFU Scotland and others, it has produced no practical suggestions on how to resolve them."

President Andrew McCornick is quoted as saying that the Migration Advisory Committee's report

"does nothing to address existing or future post-Brexit labour requirements".

Does the minister have any thoughts on that?

**Ben Macpherson:** Absolutely, I do. NFU Scotland is right to be concerned about current and future migration policy. The MAC's review of the shortage occupation list related to the current system, which covers only graduate roles. Although it was never going to provide all the answers to the sector's needs, the return of vets to the shortage occupation list is a welcome step.

I welcome the acknowledgement by the MAC, the Home Secretary and the Scottish Conservatives that the current immigration system is not working for all parts of the UK, but it is incredibly frustrating that, overall, the MAC and the UK Government continue to disregard the concerns that have been raised by key Scottish stakeholders, such as the NFUS. It is also evident from what the MAC has produced that the shortage occupation list is not a panacea.

Taken together, all that is confirmation that it is time for Scotland to have a tailored migration policy that could allow a more flexible approach to be taken to support our nation's economic, social and demographic needs.

**Jamie Greene (West Scotland) (Con):** The minister is probably aware that, according to National Records of Scotland, the biggest contributor to population growth in Scotland is inward migration from the rest of the UK. What steps is his Government taking to protect and

encourage inward migration from the rest of the UK?

**Ben Macpherson:** The Scottish Government is working to support delivery of all areas of public service in order to make Scotland as attractive a nation as possible. At the moment, our attractiveness is being damaged by the Brexit process.

However, it is interesting that net migration to Scotland from the rest of the UK has, in recent years, been consistently positive—we are attracting more people from the rest of the UK to come and live here than are going in the other direction. As Graeme Dey stated in a previous answer, that is further evidence that the Scottish Government is delivering and getting on with the day job, and that Scotland is becoming more attractive. The biggest barriers to our attractiveness are Brexit and the immigration policies of the UK Government. We all need to work together to oppose those policies, which would have such a negative demographic effect and a negative effect on our economy in the short term.

#### **Brexit (Trade with United States)**

6. **Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what its position is on the potential impact on Scotland of President Trump's recent comments regarding Brexit, including it being an opportunity to strengthen trade between the United States and the United Kingdom. (S5O-03379)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** The United States is an important trading partner for Scotland, and already accounts for 17 per cent, or £5.5 billion, of our international exports. We do not need to leave the European Union to trade successfully—and on terms that we consider to be appropriate to our values—with the US

The UK Government is keen to pursue a post-Brexit trade deal with the US, but the Scottish Government is fundamentally opposed to any deal that would lead to a reduction in environmental and safety standards, or that would expose our public services, including the national health service, to market forces. Accordingly, we will oppose any such deal and take every step that we can take to make sure that that does not come about.

**Emma Harper:** When he was on his state visit last week, Donald Trump made clear his view that our NHS and agriculture sector should be part of any post-Brexit trade deal. Does the minister share my concerns about those comments? Does he agree that we in Scotland must do all that we can to ensure that we do not get hormone-injected

beef and chlorinated chicken, and that big pharmaceutical companies do not have a negative influence on our healthcare system and our animal welfare standards?

**Graeme Dey:** I absolutely share those concerns; indeed, I suspect that the vast majority of MSPs in the chamber share them.

This Government will do all that it can to ensure that a trade deal with the US does not end up downgrading, or deviating from, the safety and environmental standards that we currently benefit from as members of the EU. We are also strongly opposed to anything that would open up our NHS or any other part of the public sector to unwanted interest from businesses that are looking to privatise those services.

We said clearly in our paper, "Scotland's Role in the Development of Future UK Trade Arrangements—A Discussion Paper", which was published last August, that we expect this Government and this Parliament to have a proper role and substantial involvement at all stages of the process of negotiating future trade arrangements. That would be the only way to make sure that Scotland's interests are protected. We reiterated that position in the specific context of a trade deal with the US, in response to the UK Government's consultations on future trade agreements last November.

#### **Brexit (Impact on Glasgow)**

7. **Johann Lamont (Glasgow) (Lab):** To ask the Scottish Government what discussions it has had with Glasgow City Council regarding the impact that Brexit could have on the city. (S5O-03380)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** Ministers and officials regularly meet representatives of all Scottish local authorities, including Glasgow City Council, to discuss a wide range of issues, including preparations for Brexit, as part of our commitment to working in partnership with local government to improve outcomes for the people of Scotland.

Mike Russell last met the leader of Glasgow City Council, Councillor Susan Aitken, along with the leaders of Scotland's six other cities, on 21 May.

**Johann Lamont:** I am sure that the minister agrees with me that Glasgow is the powerhouse of the Scottish economy. He will be aware that a report in 2016 by Glasgow City Council, the Glasgow economic leadership board and the Glasgow Chamber of Commerce outlined the scale of the economic challenge of Brexit to the city. What joint working has been done to implement the report's recommendations? Will the Scottish Government finally commit to ensuring that Glasgow gets its fair share of the £90 million

that the Scottish Government was given to address the dangers of a no-deal Brexit, in order to secure jobs in and the economic prosperity of the city of Glasgow?

**Graeme Dey:** We have been here before, with the member. I will outline exactly what is happening between the Scottish Government, the Convention of Scottish Local Authorities and the seven cities. The Cabinet recently agreed to grant a request from the Convention of Scottish Local Authorities for local government to be given an extra £1.6 million to help it to prepare for EU exit. Each council—I stress that this was, again, at COSLA's request—received £50,000 to fund the appointment of a Brexit co-ordinator. Officials have written to local authorities to advise how that money will be paid.

Close working with councils continues. As I said, as recently as 21 May, Mike Russell, the Cabinet Secretary for Government Business and Constitutional Relations, met city leaders, including the Glasgow City Council leader, to discuss Brexit. The issues that were discussed included the need for reassurance for immigrants who are thinking of coming to Scotland—because Brexit is already affecting key sectors—and the identification of priority projects ahead of further much-needed detail on the United Kingdom shared prosperity fund being provided by Westminster. Mr Russell offered to meet the cities and others to explore the options around that fund and Brexit when things become clearer. There is no lack of co-operation between the Scottish Government and local authorities.

If Johann Lamont wants to play a constructive part in minimising the impact of Brexit on Glasgow and the rest of Scotland, perhaps she could have a word with the Labour MPs who yesterday conspired with the Tories in Westminster to deny Parliament there the opportunity to block a no-deal departure from the European Union, which would be catastrophic for Scotland—including Glasgow.

## Disclosure (Scotland) Bill

**The Deputy Presiding Officer (Christine Grahame):** The next item of business is a statement by Maree Todd on the Disclosure (Scotland) Bill. The minister will take questions at the end of her statement, so there should be no interventions or interruptions.

14:31

**The Minister for Children and Young People (Maree Todd):** The Scottish Government is committed to policies that balance public protection with the right to move on from past offences. Those are not contradictory aims; both can be achieved.

Since November 2016, when the Deputy First Minister announced the review of Scotland's disclosure regime, we have engaged extensively with stakeholders to achieve that balance. Last summer, following pre-consultation engagement with over 300 individuals and organisations and an online survey that generated more than 800 responses, we undertook the statutory public consultation on disclosure, which was distributed widely to stakeholders, including all organisations registered with Disclosure Scotland. The consultation received 353 responses from a broad cross-section of Scottish life, including individuals, charities, sports associations, advocacy groups and private sector businesses.

The views and experiences that respondents shared provided vital insight into ways in which the disclosure regime, including the PVG—protecting vulnerable groups—scheme, can be improved. Those with whom we engaged consistently highlighted the value of the service and the safeguarding that it provides. However, they stressed a real need to make it more proportionate and simpler to use. From the outset, the Government intended to capture the best ideas in striking a new balance between delivering a fairer disclosure regime and strengthening the ability to protect the most vulnerable in society.

Yesterday, the Scottish Government introduced the Disclosure (Scotland) Bill, and I take this opportunity to update Parliament on how the bill will deliver that balance. We must ensure that safeguarding the vulnerable in society continues to be at the forefront of our minds. We must never forget the reasons why the service is so important. The bill will deliver a range of reforms to the protection of vulnerable groups, ensuring a world-class service in protecting the public from those whose past conduct makes them unsuitable to carry out regulated roles with children and adults.

It is widely recognised, in the light of past tragic events, that there is a need for additional scrutiny

of a person's background if they want to work with vulnerable groups or in other sensitive roles. The intention behind the bill is for the focus to remain on having a system of robust disclosure checks for roles that involve such access. However, we recognise that the safeguarding purpose must be balanced with people's legal right to have appropriate protection of their privacy and, indeed, the ability of people with convictions who now lead law-abiding lives to move on from their past. I believe that the bill achieves that.

The Disclosure (Scotland) Bill must be seen in the context of the wider Government strategy to make positive change to the justice and disclosure systems. That journey, which started with the Management of Offenders (Scotland) Bill and the Age of Criminal Responsibility (Scotland) Act 2019, continues with the proposals in the Disclosure (Scotland) Bill. If enacted, the legislation will represent a transformational improvement in the position of those who seek to move on from their past behaviour. The Government has been committed to ensuring that all three pieces of legislation are designed together for that larger purpose.

The bill contains provisions to introduce a mandatory PVG scheme for people who carry out regulated roles with children or protected adults. Although many organisations treat it as such, the scheme is not currently mandatory, which has made it difficult for individuals and employers to understand their responsibilities and legal duties under the current legislation. There is overwhelming support among stakeholders for the proposal, the need for which was also recognised by Parliament's Health and Sport Committee, which concluded that there is a "compelling case" that the scheme be mandatory for those who work with children in sport.

We will simplify the process for determining what roles must be included in the PVG scheme. The public perception is that the current system is too complex, and we need to develop a system that makes the process easier, to ensure that the scheme focuses on those who hold power and influence over children and protected adults.

Our engagement with stakeholders has highlighted areas in which safeguarding can be improved, and we have sought to address those issues in the bill. We will provide better protections for individuals who employ or engage the services of another individual in a personal capacity—for example, those who arrange self-directed care. We believe that such provisions complement strengthened referral arrangements for Police Scotland and new referral powers for local authorities and will enable individuals who employ others to have even greater protections.

The bill will allow Disclosure Scotland to impose public protection conditions on scheme members who are under consideration for barring. Since the PVG scheme was enacted, there have been cases in which the ability to impose such conditions would have benefited safeguarding. Our engagement has supported that view, with organisations telling us that having that ability would assist them when they are managing risk in such situations.

As a Government, we aim to focus public services on creating a more successful country, with opportunities for all in Scotland to flourish. That includes creating a strong, sustainable workforce and making sure that no one faces unnecessary barriers to gaining opportunities. Of course, there will always be people who, given their past behaviours, will not be suitable for certain roles, which is why we need the disclosure regime. Disclosure Scotland will continue to identify such individuals and ensure that they are legally prevented from carrying out a regulated role.

However, we must give extra consideration to people who have found themselves involved in the criminal justice system during childhood or adolescence. That is especially true for care-experienced individuals, who we know are more likely to come into contact with the criminal justice system and end up with a criminal record. It is widely recognised that having a criminal record can significantly impact on future life chances and outcomes for young people, including access to education, training and employment. Their opportunities and horizons can be severely limited.

The Age of Criminal Responsibility (Scotland) Act 2019 ensures that harmful behaviour by children under the age of 12 cannot be criminal. However, the provisions that are laid out in the 2019 act change only the position for children under that age. We are learning more and more about the impact of trauma and adverse childhood experiences on life chances. We have to do more, not only to prevent such experiences from happening in the first place, but to limit the damage that is done to individuals, families and communities in the long term. The bill aims to address that issue by providing a system that takes into consideration the context surrounding childhood offences. The consultation strongly supported the idea that disclosure of such information should remain a possibility, but only after careful and informed consideration of its necessity for public protection.

Although it is vital to consider the impact of the changes on safeguarding functions and on people with convictions, the majority of certificates that Disclosure Scotland sends out will not contain any criminal history information. We want to simplify

the system to make it accessible and easy to use for all, and to take a user-centred approach for individuals who access disclosure and for the employers with whom they need to share their information.

Our intention is to use a responsive digital first system that is better suited to those who prefer to carry out their business online. We are moving away from the slow and onerous paper-based system by increasing the extent to which applicants and employers can engage digitally with Disclosure Scotland.

Continuous engagement has been vital in shaping the bill that is now before Parliament. We will continue to listen to and engage with Parliament and members of the public to develop the best way to implement the proposals in the bill.

The Scottish Government is committed to ensuring that clear training and guidance materials are developed as we transition to any new provisions. As I previously stated, the aim of safeguarding must remain the focus of the disclosure system. Several of the proposed reforms will complement and improve the safeguarding tools afforded by the current regime.

Today, we will publish the Government's response to the consultation analysis. The response has been provided to the Scottish Parliament information centre and will be sent to all key stakeholders, including every organisation registered with Disclosure Scotland. The response sets out the policy intent of the bill clearly and simply.

I commend the bill to the Parliament and look forward to constructive engagement in the months ahead. I would be happy to answer questions from members.

**The Deputy Presiding Officer:** I have about 20 minutes in hand for questions.

**Liz Smith (Mid Scotland and Fife) (Con):** I thank the minister for prior sight of her statement and put on record the fact that I am a member of the PVG scheme.

The Conservatives support the main thrust of the bill. It is right that we do all that we can to ensure that the PVG system works well and is as simple as possible to use. We are broadly supportive of the bill's aims.

I have two questions for the minister. First, on making the system mandatory, how many more adults will become members of the system in comparison with the current system and what discussions have taken place between the Scottish Government and key stakeholders to measure the additional costs to organisations that choose to pay the £59 PVG fee?

Secondly, on page 17 of the Scottish Government response to the analysis, there is an acknowledgment that the transition from the current membership arrangements to the new system will

“pose challenges”

and will

“require a careful consideration of fairness”.

Will the minister comment on those specific challenges and what the Scottish Government is doing to address them?

**Maree Todd:** I thank the member for that question and I welcome the broad support for the bill.

The member asked about the additional costs resulting from the mandatory nature of the scheme. The reason why we are making it mandatory is because there have been incidents in the past when we realised that it was not clear whether someone needed to be disclosed. As a result of those incidents, we realised that it was important to make it mandatory. The Scottish Parliament, through the recommendations of the Health and Sport Committee, also agreed that it should be mandatory.

As well as making the scheme mandatory, we are putting a five-year limit on membership—at the moment there is lifelong membership. The costs will balance out. At the moment, 1.2 million people are criminal-record checked daily. We suspect that there are hundreds of thousands of people in the system who currently have daily criminal record checks, for whom it is not necessary because they are not performing regulated roles.

I apologise, but I have forgotten the first question that the member asked, so perhaps she could repeat it.

**Liz Smith:** My first question was specifically on the costs to organisations of the system being mandatory. As the minister knows, some organisations pay the £59 fee instead of the individual—*[Interruption.]*

The second question was on the statement on page 17 of the Scottish Government response, which says very clearly that the change from the old model to the new one may

“pose challenges”

and

“require a careful consideration of fairness”.

I am looking for some details on those challenges and on what the Scottish Government will do to address them.

**The Deputy Presiding Officer:** Mr Gray, do not mump in my ear. It is very distracting and puts me

off balance. We will get there—you will get your chance.

**Maree Todd:** Many organisations, such as in health and education, already see the scheme as mandatory, so I do not think that there will be an extra cost for them. They will make decisions about whether they will continue to pay or whether individuals must pay for themselves—that is for them to work out.

On the complexities, the bill is very complex and technical and it will take a great deal of effort and engagement to work out how it will be implemented. That will be on-going; there has been a great deal of stakeholder engagement thus far, which we will continue.

**Pauline McNeill (Glasgow) (Lab):** Labour strongly welcomes the bill. We recognise that a lot of work has gone into getting it right and balancing robust protection for our children and young people with an easy-to-navigate system of disclosure that will allow people to get on with their jobs and others to continue with their voluntary work. I whole-heartedly welcome the long-overdue proposal to recognise that minor offences that were committed in a person's youth should not necessarily be used in assessing their suitability for working with children.

Will the minister consider what support voluntary organisations may need because of the switch to the mandatory requirement? We want to make sure that there will be support. My biggest concern is that the minister did not mention in her statement a critical part of the change, which is the suggestion in the published document that there will have to be a renewal every five years. Will the minister confirm that that is still the intention and say why it was not mentioned in the statement? Will she consider whether five years might be thought, by some, to be quite a short period, and will she give a commitment to Parliament that, if that is the case, she will probe the issue to make sure that it does not become a barrier to people having their certificates renewed?

**Maree Todd:** I broadly welcome the support for the bill, which I was pleased to hear about. We will certainly provide good training and awareness, so that the voluntary sector is able to navigate the new system well.

With regard to the five-year limit, Pauline McNeill will have heard me say to Liz Smith that more than 1.2 million people are members of the PVG scheme and undergo criminal record checks daily. That is not necessarily proportionate, because many of them no longer require that criminal record check or are not working in regulated roles. There is a huge cost associated with those checks, and we think that hundreds of thousands of people who are members of the

scheme no longer need to be. It is important to provide an easy way to exit the scheme, and we think that the five-year limit is an appropriate balance. However, that will be a matter for the scrutiny of the bill as it passes through Parliament.

**John Finnie (Highlands and Islands) (Green):** I lend Scottish Green Party support to the general direction of travel. There are a couple of mentions of simplification in the bill, and the statement included the comment that

“the public perception is that the current system is too complex”.

The public may well be largely unaware of the system unless they have been directly involved with it. Is there a danger that simplification will be seen as weakening? What steps will the Scottish Government take to reassure the public that the system will remain robust?

**Maree Todd:** Simplifying the system will make it more robust because it will make it easier for people to engage with it and there will be greater clarity about which product is required. A number of simplifications are included in the bill: all the disclosures will be issued under one act; the number of disclosure products will reduce from 10 to four, which will reduce confusion; and the implementation of digital services will modernise and radically simplify the disclosure system. That means that somebody will not have to decide which disclosure product to look for before they apply; they will be able to go to a website and it will guide them to the appropriate disclosure product for the role that they will be performing. All those measures will strengthen protection because they will make the system much simpler for people to use.

Members will remember that the concept of regulated work has caused some confusion in previous years, so another great simplification is that the bill will allow us to refocus the membership of the PVG scheme on those who possess power over children and protected adults instead of using job titles to determine membership.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I am grateful for the early sight of the statement, and I offer the broad support of Lib Dem members for the bill.

Given that we, as parliamentarians, have regular access to vulnerable groups through case work and that we sometimes have access to young people through school work experience, will the minister take the opportunity that the bill offers to extend the disclosure scheme to parliamentarians and key members of staff who have regular unsupervised contact with vulnerable groups?

**Maree Todd:** Members can certainly consider that as the bill progresses through Parliament. As I said in my response to John Finnie's question, one of the simplifications in the bill is the removal of the concept of regulated work, so that a person's need to be a full member of the PVG scheme relies not on their job title but on whether there is a power imbalance and whether the person holds power over children or vulnerable groups. I am more than happy to assess whether parliamentarians fall into that category as the bill progresses through Parliament.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** I am pleased that the bill will build on the progressive reforms that are being taken forward in the Management of Offenders (Scotland) Bill, which the Justice Committee has been scrutinising. Does the minister agree with the research evidence that clearly shows that people's having to continue to relive an offending past damages their chances of being able to move on and contribute meaningfully to society?

**Maree Todd:** Yes, I whole-heartedly agree with that. For most offenders, the passage of time and the adoption of a crime-free lifestyle provide a basis for their accessing work and making a greater contribution to society. However, we recognise that the situation can be very difficult for employers. That is why I encourage employers who are wary of employing people with convictions to sign up to release Scotland and to avail themselves of the training that Disclosure Scotland offers to help them to understand how to evaluate convictions better.

Some people have offending backgrounds and past conduct that make them wholly unsuitable for roles with vulnerable groups or valuable assets. The disclosure system aims to protect the vulnerable in a very strong way but not to lock out from good employment all those with convictions, because we know that good employment reduces reoffending.

**Alison Harris (Central Scotland) (Con):** I declare that I am a member of the PVG scheme.

Can the minister guarantee that any online upgrade to the disclosure system will be implemented smoothly and that it will simplify the system enough to reduce the number of people who are dissuaded from applying for roles?

**Maree Todd:** We are intensely focused on the digital programme, and we are confident that the system is at an appropriate stage and will be completed in time for the delivery of the new services.

Our transformation programme continued throughout 2018-19. Disclosure Scotland's new PASS—protecting and safeguarding Scotland—technology platform began to process applications

in June 2018, and, by the end of March 2019, it had taken in excess of 78,000 applications, with 45 per cent of all disclosures being channelled through that new service. Some 16,000 customers have given us feedback on PASS, and 96 per cent of them are very satisfied. That high level of satisfaction demonstrates how well we have listened to our customers and what they have told us they need as the new service has been developed.

**Ruth Maguire (Cunninghame South) (SNP):** I welcome the modernisation, but can the minister confirm, in recognition of the fact that online access will not work for everyone, that alternatives to digital services will still be offered? Does she agree that those alternatives are essential if the new membership scheme is to be truly inclusive?

**Maree Todd:** Indeed. We fully agree that alternatives to the digital service must be provided. Although our engagement with counterpart services elsewhere in the United Kingdom has shown that the vast majority of people are able to access and use well-designed digital services, it remains vital that those who cannot do so are catered for. To that end, my officials will carry out full engagement with users to design with them alternative ways to use the disclosure system that meet their needs.

**James Kelly (Glasgow) (Lab):** Will reductions in fees be applicable to those who reapply after five years, bearing in mind that moving from a system of one-off fees to repeat fees might curtail volunteers coming forward?

**Maree Todd:** The fees are not set out in the bill; we are in the process of working out the fees that will be applied. I think that the member is asking about transitional arrangements between the lifetime membership and the five-year membership, and we are working carefully to ensure that that transitional system is fair.

**Gail Ross (Caithness, Sutherland and Ross) (SNP):** Will the minister outline how the bill will build on the reforms that are introduced in the Age of Criminal Responsibility (Scotland) Bill and ensure that young people can move beyond their mistakes and fulfil their potential?

**Maree Todd:** The proposals in the bill take forward the recommendation of the advisory group on the age of criminal responsibility that consideration be given to ceasing the disclosure of convictions that were accrued by someone before the age of 18. The Disclosure (Scotland) Bill contains proposals that childhood convictions will no longer be disclosed automatically and that, if ministers decide that the information about such a conviction should be disclosed, the applicant will be advised before disclosure to a third party takes place and will be offered the option of having

ministers' decision reviewed by the independent reviewer. That post was created by the Age of Criminal Responsibility (Scotland) Bill, as the member will recall, having been closely involved with that legislation.

**Maurice Corry (West Scotland) (Con):** I declare that I am a member of the PVG scheme, and I thank the minister for advance sight of her statement.

The minister says that, although it is vital to consider the impact of the changes on safeguarding functions and those with convictions, the majority of certificates that Disclosure Scotland sends out will not contain any criminal history information. Can the minister provide further detail on the number of certificates that will not contain criminal history information?

**Maree Todd:** I will give the member some figures relating to the disclosure applications that Disclosure Scotland receives every year. In 2018, Disclosure Scotland processed 647,410 checks. In an average week, Disclosure Scotland processes 5,000 PVG applications, and it checks approximately 1.2 million criminal records on a daily basis, as I have said. Despite those incredibly high numbers, in 2017-18, Disclosure Scotland had an average processing time of 3.3 days, and 99.49 per cent of processing was done within 14 days. It is already coping with a huge number of applications and is processing them effectively.

**David Torrance (Kirkcaldy) (SNP):** How has stakeholder engagement shaped the bill?

**Maree Todd:** Disclosure Scotland carried out three rounds of engagement before publishing a formal consultation in April 2018. To ensure a high level of stakeholder engagement, it used a number of channels and methods throughout the pre-consultation process. A wide range of participants took part in the pre-consultation engagement, and Disclosure Scotland engaged in person with more than 350 organisation representatives and individuals throughout Scotland, receiving feedback from 800 more through an online survey.

The evidence that was gathered during that intense period of engagement assisted Disclosure Scotland in the development of the proposals for formal consultation. There were responses to the formal consultation from a range of stakeholders with varying backgrounds, including judicial bodies, the legal sector, local government, voluntary organisations, the health sector and individual scheme members. The results of the consultation have informed further development of the policy and the bill's provisions.

**Iain Gray (East Lothian) (Lab):** I draw members' attention to my entry in the register of

members' interests, which states that I am the chair of the Hibernian Community Foundation.

The Age of Criminal Responsibility (Scotland) Bill was amended to allow the possibility of further appeals to the independent reviewer should the first appeal fail. Will the Disclosure (Scotland) Bill allow for similar further appeals in the context of disclosure?

**Maree Todd:** I am sure that, on that issue as on many of the other proposals in the bill, Parliament will scrutinise the bill and members will lodge amendments that they wish to see in the final legislation. During the passage of the bill, we will see whether those amendments are appropriate.

**John Mason (Glasgow Shettleston) (SNP):** I understand that the bill will replace the concept of "regulated work" with the concept of "regulated roles". Does the minister feel that, although that will help to clarify around the edges, there will always be margins and grey areas?

**Maree Todd:** In the past, the concept of "regulated work" has led to some confusion about who should or should not be a PVG member. That is why we are switching from the old system, which focused more on job roles and establishments, to a system that will allow us to evaluate a wider range of roles for the presence of power and influence. One example, which has been topical over the past few years, is the role of football scout. A football scout does not educate or supervise children, but they can hold make-or-break power over a child's future. They will be covered by the revised scheme, but they were not eligible for the old one.

**The Deputy Presiding Officer:** That concludes questions on the statement. We will have a brief pause to allow the members on the front bench to change over.



## Restricted Roads (20 mph Speed Limit) (Scotland) Bill: Stage 1

**The Deputy Presiding Officer (Christine Grahame):** The next item of business is a debate on motion S5M-17660, in the name of Mark Ruskell, on the Restricted Roads (20 mph Speed Limit) (Scotland) Bill.

15:01

**Mark Ruskell (Mid Scotland and Fife) (Green):** Since devolution, there have been choices for the Parliament to make, in order to break from the status quo, be bold and lead the change. From the smoking ban to the minimum pricing of alcohol, the Parliament has led the way in making small changes that will have a big impact on the health of our nation for generations to come.

Today, I am asking Parliament to take another step forward to make our streets and communities permanently safer. Speed limits of 20mph make a big contribution to the safety of everyone on the streets on which we live, especially to the safety of children. They reduce speeds, prevent deaths and injuries and encourage choices to walk and cycle, while public support for them continues to grow year on year. Yet 20mph speed limits remain exceptions to a blanket 30mph rule that was set nearly 90 years ago; they are expensive to introduce and inconsistently applied. It a postcode lottery as to whether a community is protected and our most deprived communities are often left behind.

I am asking Parliament to consider the fundamental question: what should be the default speed limit on the streets on which we live? If the answer to that question is 20mph, the bill is the only credible approach that delivers that goal in a way that is nationally consistent, timely and cost effective.

Over the past three years, I have been delighted to work with a wide range of organisations, including councils, public health bodies, road safety organisations and schools, and many thousands of individuals who back the bill. Public support has been strong—countless studies have shown that the majority of the public supports 20mph limits and that the support goes up when the limits are introduced.

More than 1,900 people responded to the initial consultation on the bill and well over 6,500 people responded to the consultation that the Rural Economy and Connectivity Committee ran, which showed 62 per cent support. I particularly thank Rod King and the team at twenty's plenty for providing support through their extensive networks

across the United Kingdom in building the case for the bill.

Last year, I was delighted to be invited to address meetings in Wales, including in the Senedd, where there is now a strong cross-party consensus, with the First Minister recently announcing that Wales will be switching to a 20mph default national limit. The Welsh proposal to allow councils to retain 30mph limits on a minority of roads of their choosing exactly mirrors my bill, and will make Wales the first 20mph nation in the UK.

I also thank councils for their active support: Orkney Islands Council, Shetland Islands Council, Glasgow City Council, the City of Edinburgh Council, Angus Council, East Renfrewshire Council, Dumfries and Galloway Council, Midlothian Council, Renfrewshire Council, Stirling Council, East Dunbartonshire Council, Highland Council, Aberdeen City Council and South Lanarkshire Council have all been strong supporters.

Glasgow City Council recently passed a motion in support of the bill, while the City of Edinburgh Council has said that, had the bill been in place at the time, it would have halved the cost of its 20mph roll-out. Councils that want to make the streets where we live safer want a default 20mph limit. Only a small minority of councils, most notably Scottish Borders Council, are out of step in wanting to choose whether to implement 20mph limits. Why should a child who is growing up on a street in Galashiels deserve any less protection than a child who lives on a street in Edinburgh?

Throughout the development of the bill, my team has also worked closely with the members of the Society of Chief Officers of Transportation in Scotland, which is the representative body of all roads authorities. They are the people who will be directly responsible for implementing the bill. I thank them for their input into the costings and their continued support, which was reaffirmed last night in their formal response to the committee's report.

Many councils now await the introduction of this bill to make the full roll-out of the 20mph limit cheaper and easier across their communities. On the public health case, I have been delighted to work with organisations including the Royal College of Paediatrics and Child Health, the Glasgow Centre for Population Health, the Faculty of Public Health, the British Heart Foundation, the British Lung Foundation and NHS Scotland; they all back the bill. The Glasgow Centre for Population Health was instrumental in helping us to understand the impact that the bill would have on protecting and saving lives. Its study showed that, even with a modest reduction in average speeds, every year, the bill would save five lives,

750 casualties and £39 million. Real people's lives will be saved and transformed and real savings will keep coming every year for decades to come—all for the cost of simply changing the road signs.

**Liam Kerr (North East Scotland) (Con):** Will the member take an intervention?

**Mark Ruskell:** Yes, if I can get the time back.

**The Deputy Presiding Officer:** Yes, you can. There is time in hand in this debate. I can be flexible, which is good for everybody.

**Liam Kerr:** Does the member not concede that that only happens if the impact of the bill is, as he wishes, to reduce the speed limit in practice?

**Mark Ruskell:** That is a basic question and I point the member to the extensive policy memorandum, which details all the studies that show the kind of speed reduction that we would get if we implemented the 20mph limit across the nation. The bill is predicated on the existing roll-out of the 20mph limit in cities around the UK. We are not starting with some kind of rocket science. We already know the impact of 20mph zones. We know what the impact will be if we go for a national default.

We also know the devastating impact that a fatality can bring to families and communities. Even minor incidents can destroy a person's confidence, leaving them unable to cycle or fearful of traffic for the rest of their lives. The Royal College of Paediatrics and Child Health said that the bill would

"have an immediate beneficial impact on"

the health of children and young people, creating

"safer places to walk, cycle and play, reducing fatal and non-fatal injuries".

I have also been pleased to work with a huge range of organisations that know that the bill will transform the liveability of our communities. Sustrans, Living Streets Scotland, Cycling UK, British Cycling, Scottish Cycling, Transform Scotland, pedal on Parliament, Ramblers Scotland, Friends of the Earth, Paths for All, Brake, Spokes, GoBike, Guide Dogs Scotland and dozens of community councils and parent councils all back the bill.

A joint letter from more than 20 national bodies and the newly appointed active nation commissioner, Lee Craigie, was clear and unequivocal in its support, saying that

"A Scotland-wide reduction in speed limits will save lives every year, not only through reduced casualties but, as more people choose active forms of travel and the air quality in our communities improves. We cannot wait for local authorities to implement this in a few limited areas, as

and when they have the resources. We cannot wait for more studies."

The Rural Economy and Connectivity Committee heard many of those arguments. They were highlighted in its report, which concluded that sign-only 20mph limits deliver "important increases" in walking and cycling and agreed that

"20mph zones can contribute to social inclusion, the quality of life and the 'liveability' of neighbourhoods and streets."

The report went on to say that

"the Committee supports the deployment of 20mph zones in Scotland, especially where pedestrians are present, and acknowledges the road safety benefits that this would deliver."

How, then, could both the committee and the Government conclude that discretion should be given to councils to do nothing about a 20mph speed limit? I find that quite unfathomable, given that we know that the current blanket 30mph limit will continue to kill, maim and destroy lives. That is a fact that every MSP must think on when they choose which way to vote on the bill.

If the Government wants Scotland to be the best place for children to grow up in, it should prove it by making their streets safer places to play, walk and cycle in. If it backs 20mph as the safe speed limit in those streets, I ask it please not to leave it to a postcode lottery. Leave the change to Parliament instead, and back this bill for the sake of all future generations.

I move,

That the Parliament agrees to the general principles of the Restricted Roads (20 mph Speed Limit) (Scotland) Bill.

15:10

**Edward Mountain (Highlands and Islands) (Con):** I am pleased to contribute to the debate as convener of the Rural Economy and Connectivity Committee.

The committee's stage 1 report, which was published on 31 May, is clear. The committee supports the bill's policy aim of seeking to widen the implementation of 20mph zones in Scotland in order to reduce death and serious injury on our roads. I thank the member in charge for promoting that important objective and his recent response to our report, and I also thank the cabinet secretary for helpfully responding to the report before today's debate. Finally, I thank all those who submitted evidence to the committee and the clerks for their help and support in the process.

It is important to highlight that the committee heard very mixed views on the bill. Furthermore, the available research was also often mixed, and the conclusions were often very inconclusive. That has shaped the committee's conclusions on this bill, to which I will now turn.

**John Finnie (Highlands and Islands) (Green):** Will the member give way?

**Edward Mountain:** I am prepared to do so, if I can get the time back.

**The Deputy Presiding Officer:** I have already said that there is time in hand for everybody, so do not be feart.

**Edward Mountain:** In giving way, though, I ask the member to remember that I am reflecting the views of the committee, and will do so carefully.

**The Deputy Presiding Officer:** You have been told, Mr Finnie.

**John Finnie:** I am grateful to the member for taking the intervention. I absolutely accept that that is what the committee convener will do, but will he also point out that, although we did hear mixed views, members themselves interpreted the evidence that we heard differently?

**Edward Mountain:** Indeed, and as I make progress through my speech, I will of course try to reflect the difference of opinion between members.

On the issue of public health outcomes and social benefits, the committee concluded that 20mph sign-only zones have contributed a small but important increase in active travel modes such as walking and cycling, due to an increased perception of safety. We also acknowledged that reducing the speed limit might improve air quality, although the evidence on that was inconclusive. We also felt that 20mph zones might contribute to social inclusion, quality of life and the liveability of neighbourhoods and streets, but only effectively if they were part of wider urban place making.

The committee also heard mixed views on whether 20mph speed limits would have an impact on either journey times or traffic congestion. The available research suggested that 20mph limits do not generally have a significant impact on either.

As for the practicalities of implementing the bill, I would like to highlight the following points on behalf of the committee. The bill proposes that its provisions be commenced at the end of a period of 18 months after its enactment, but the public agencies that would implement the bill's provisions called for a longer period, given existing and forthcoming commitments.

With regard to compliance and enforcement, the committee found that current compliance with 20mph speed limits is poor and that a combination of measures such as traffic calming and speed limits is more effective than a speed limit by itself.

**Andy Wightman (Lothian) (Green):** Will the member give way?

**Edward Mountain:** I am prepared to do so, on the basis that I outlined earlier.

**Andy Wightman:** The member's points about compliance and commencement can be addressed as the bill proceeds through Parliament. Does he agree that they are not germane to the principle of the default speed limit in Scotland?

**Edward Mountain:** I am sure that other members of the committee will comment on that. However, what we heard from Police Scotland is that it does not prioritise enforcement of current 30mph or 20mph zones. Police Scotland confirmed that its focus is on enforcing speed limits on higher speed roads where serious accidents are more likely to occur.

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

**Edward Mountain:** I am afraid that I have already taken two interventions. *[Interruption.]* I think that it is fair to allow the committee convener to try to put the committee's view across without questioning him on it, as members will have an opportunity to question each committee member.

As I said, Police Scotland is focused on enforcing limits on higher speed roads. That might not be viewed as an impediment to compliance with 20mph limits. However, the committee was of the view that the proposals in the bill would be unlikely to result in any change to Police Scotland's approach to enforcing speed limits.

On the issue of public awareness, the committee heard that a detailed, concerted campaign would be required to raise awareness of the proposed reduced speed limit, should the bill be passed. We learned that such a campaign would need to be more extensive and sustained than the bill proposes. Overall, it would need to create a major shift in the cultural understanding of why the speed limits exist, with the aim of increasing compliance rates.

The committee also found that the existing processes for local authorities to implement 20mph speed limits are cumbersome and resource intensive. We are of the view that those processes should be more straightforward to make implementation easier. Consequently, we welcomed the Scottish Government's current exercise with the Convention of Scottish Local Authorities and the Society of Chief Officers of Transportation in Scotland to consider ways in which those processes can be simplified and improved. The cabinet secretary's response to the committee's report does not provide any further information on that exercise. I ask him, on behalf of the committee, to ensure that the committee is kept updated on the progress and outcomes of the review.

The committee also heard about wide-ranging uncertainties around the estimated costs and

savings for the bill, leading the committee to conclude that the financial memorandum is not robust. Costs that were not fully recognised include the following: assessments of affected roads; local authorities wishing to retain roads as 30mph zones; and establishing the total number of restricted roads that would be subject to the bill's proposals, given that this number is not known. There was also no estimation of the costs related to staff and resources in the police force and criminal justice system or of Scottish Government costs for the trunk road network.

The cabinet secretary has clarified in his response that the Scottish Government would have to provide additional financial support to local authorities if the bill were passed. However, that financial support would have to come from existing transport budgets, potentially diverting resources away from existing activities.

Finally, the committee also noted the very clear message given by the Scottish Government throughout the stage 1 process that a great deal of further consideration to the process, impact and consequences of a nationwide default 20mph limit on restricted roads would be required before it would be in a position to fully support the bill.

The key point for the committee has been to determine whether the bill's proposal to introduce a 20mph speed limit on all restricted roads in Scotland by default is the most effective way to deliver a significant increase in 20mph zones. Our majority view is that the default approach proposed in the bill is not appropriate, as it does not give local authorities the flexibility to devise 20mph limits that they consider appropriate for their areas.

As a result, the committee is unable to recommend the general principles of the Restricted Roads (20 mph Speed Limit) (Scotland) Bill to the Parliament. I look forward to hearing other members' contributions to the debate.

15:18

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** First, I thank Mark Ruskell for his member's bill, which has generated a wide-ranging national debate on 20mph speed limits.

I have followed the committee's consideration of the bill closely, and I would like to thank its members for their diligent and comprehensive scrutiny of the bill's proposals. I note the findings of the committee; I am sure that the committee's decision was a difficult one to reach, which highlights the complex nature of the matter.

I will briefly explain why the Scottish Government is not in a position to support the bill.

Through "Scotland's Road Safety Framework to 2020", we are committed to reducing road risk. Scotland has well-established casualty reduction targets on which we have successfully made progress in recent years. The Government is also committed to an active travel vision in which communities are shaped around people, and in which walking and cycling are the most popular choices for shorter everyday journeys.

The bill brings together two issues that must not be conflated. The first is the question whether 20mph speed limits are beneficial. The Scottish Government's clear view is that we support implementing 20mph limits in the right environment, because they have the potential to encourage more active travel and increase people's feeling of safety.

The second issue is the question whether the blanket approach is the best way of achieving the desired benefit.

**Andy Wightman:** The cabinet secretary refers to a "blanket approach", which reflects the committee's language about "a one-size-fits-all approach". Surely, as a matter of principle all around the world, a default speed limit is a default speed limit: it takes a one-size-fits-all approach. The only question is whether the speed limit should be 30mph or 20mph.

**Michael Matheson:** The committee's point was about compliance and effective operation. We must have a default speed limit on which we can get greater levels of compliance. The evidence shows that if additional measures are not provided alongside the speed limit reduction, compliance is not of a good standard.

Further consideration would need to be given to the process for, impact of and consequences of a nationwide default 20mph speed limit, including an assessment of Scotland's road network, before we could be sure that the bill would achieve its aim. We would need to ensure that the bill would have no unintended consequences, such as detrimental effects from reducing the speed limit to 20mph on some restricted roads, or inhibiting consistency across the country by not reducing the limit on non-restricted roads where a 20mph speed limit would be desirable.

**Alison Johnstone (Lothian) (Green):** The cabinet secretary suggests that we should not pass laws unless we are absolutely sure that they will be enforced. Did he take that view when Scotland decided to ban smoking in public places? The cabinet secretary must have a vision. He does not like presumed liability, he will not pay for infrastructure and he is not interested in reducing the speeds on our roads. What exactly will he do to make Scotland's streets safer for people?

**Michael Matheson:** As I have made clear, the Scottish Government supports the introduction of 20mph zones. However, we do not support a one-size-fits-all blanket approach to all restricted roads, which is exactly what the bill proposes.

**Colin Smyth (South Scotland) (Lab):** Will the cabinet secretary take an intervention?

**Michael Matheson:** Let me make progress.

To achieve the benefits that 20mph speed limits bring, particularly for road safety, we need to ensure compliance with them. Police Scotland clearly advised the committee that speed limits should, in effect, be self-enforcing and seen to be appropriate by a significant majority of motorists. Implementing speed limits that are appropriate to the road design and conditions, rather than applying a blanket 20mph sign-only speed limit, ensures that other speed limits are not brought into disrepute.

I note the committee's conclusion that the bill's proposed approach for all restricted roads to default to 20mph before an assessment has been carried out to examine whether the current speed profile and road design lend themselves to a sign-only 20mph speed limit is not appropriate. It would restrict local authorities' flexibility to devise 20mph limits that they consider to be appropriate in their areas.

**Daniel Johnson:** Will the cabinet secretary please explain why on earth a road whose design is acceptable for a 30mph limit is not appropriate for a 20mph limit? I do not understand that and would appreciate an explanation.

**Michael Matheson:** In its report, the committee highlights the fact that design features are key factors that influence the speed at which people drive on roads. That is why, for many 20mph zones in various local authority areas, there are additional traffic-calming measures in order to achieve compliance. Sign-only 20mph speed limits do not achieve that level of compliance. The evidence from cities that have taken that approach has demonstrated that. That is why I remain convinced that local authorities are best placed to make local decisions, based on their local knowledge and evidence on where 20mph speed limits should be implemented.

Both the Government and COSLA have always recognised the ambition of the bill and understand its rationale. However, the practical challenges of a one-size-fits-all approach are significant. Both the Government and COSLA remain supportive of creating safer roads for all road users, but that must be achieved through identifying more flexible alternative ways of widening implementation of 20mph zones and speed limits in Scotland.

Therefore, we are taking forward a range of work with our partners to identify more straightforward, efficient and effective procedures for local authorities, in order to encourage wider use of 20mph speed limits. One example of the work that is being undertaken is a review of the current traffic regulation order process, which will determine whether the process creates a barrier to the implementation of 20mph speed limits. We have sought the views of local authorities on the TRO process, and have provided an opportunity for them to detail their concerns and to consider whether the process could be streamlined. Once that analysis is complete, we will share the results with stakeholders and outline options that could be pursued to improve the process.

**Mark Ruskell:** Will the cabinet secretary give way on that point?

**Michael Matheson:** I want to make progress, and I am about to finish.

Solutions can be taken forward through collaborative working with our partners in local authorities. I consider that the blanket sign-only approach that is proposed in the bill, without identification of the roads that would be affected, will not achieve its aims. The road assessment is required in order to examine whether the current speed profile and road design lend themselves to sign-only 20mph speed limits, and whether they will achieve the benefits that we all wish to see.

Given all of the above, I support the conclusions and recommendations of the Rural Economy and Connectivity Committee. I can also assure the chamber that we will continue to take forward measures to assist our colleagues in local government to introduce a wider range of 20mph speed limits in urban areas.

15:27

**Jamie Greene (West Scotland) (Con):** I sincerely thank Mark Ruskell, his staff and his team for bringing forward the proposed legislation. We appreciate the hard work that goes into a member's bill; I can only imagine the workload that it has added to his office. I give credit to the member, because in the very early days of the process, from day 1, he took a great deal of time and effort to meet Opposition members, to share his thoughts and to listen to our views and concerns. I was happy to welcome members of the twenty's plenty group to my office and to have a frank and productive conversation with them. Such was and is my good will in approaching the bill logically and respectfully.

Even though the majority view of the Rural Economy and Connectivity Committee was not to recommend the general principles of the bill, that does not mean that Conservative members do not

support the concept of lower speed limits or zones, nor is this the end of the road when it comes to how we, as a Parliament and as politicians, hold the Government to account on the issue.

I will not lie: when the bill was originally announced, I was quite sceptical. However, as a member of the Rural Economy and Connectivity Committee, as my party's spokesman on transport, and as a pedestrian, cyclist and driver, I approached the debate with an openness to listening and learning. What struck me most in the stage 1 evidence sessions was the sheer inconsistency of the evidence and data that were presented to us, and the conflicting and, at times, confusing views that were presented. I see members shaking their heads, but I sat there for every evidence session.

The committee genuinely found it difficult, when meeting in private following the evidence sessions, to agree on the outcomes and to accept the veracity of the evidence. A bit of me hoped that such would be the strength of the evidence that it would be profoundly helpful, one way or the other. However, that was not the case.

I appreciate that the recommendations in the committee's report will not please everyone, and must be deeply disappointing and frustrating to the lobby that supports the bill, but I assure members that we approached and considered the issue diligently, as parliamentary committees should do. We gave the member and the bill the respect that they are due, but we came to the conclusion that we could not support the bill. That did not feel in any way like a victory to the people who were not keen on the bill from day 1.

Let me be honest and ask this about the status quo: is the system for rolling out 20mph zones in this country working perfectly? Is every community that wants a reduced speed limit in its area able to secure a zone easily and efficiently? If the answer to those questions is no, I suggest that today's debate is not the end but the beginning of the conversation, because any suggestion that the committee did not support the principles of the bill because we do not care about public safety, children, cyclists, pedestrians or the environment is misguided and unhelpful.

**Daniel Johnson:** I appreciate that Jamie Greene would like to go further on 20mph. Will he enlighten Parliament on the proposals for 20mph limits that the Conservative Party will have in its next manifesto?

**Jamie Greene:** We are happy to support the further roll-out of 20mph zones. Let me say two things about that. I was going to come to this later, but I am happy to do so now. First, the current TRO process is, as the committee said,

"cumbersome", "onerous" and "difficult" for local authorities that want to introduce 20mph zones; it should be improved. Secondly, as other members said, it is for local authorities to make those decisions: I do not think that the approach in the bill gives local authorities sufficient flexibility to do what is right in their areas. What is right for urban Scotland might not be right for parts of rural Scotland.

**Colin Smyth:** Will the member give way?

**John Finnie:** Will the member take an intervention?

**Jamie Greene:** I ask members to let me make progress, please—

**John Finnie:** It is on that very point.

**Jamie Greene:** I have a lot of points to make. I will make progress, and then I will happily let members in.

We heard from a wide range of stakeholders. I will not go into the evidence that we heard; other committee members or members who have an interest in the matter will do so.

We need to look at the practicalities of what a nationwide change from 30mph to 20mph would look like. The convener talked about the rather controversial comments from Police Scotland, which said in March that catching people who break the 20mph limit would not be a priority. I think that Police Scotland has acknowledged that that was not an easy or popular thing to say. In a subsequent submission, Police Scotland said that people

"may not understand the evidence-based decisions behind our current deployment priorities nor accept that resources are finite."

Of course, it is right that the police should tackle all rule breaking on our roads. In a perfect world they would. However, it is logical that the police must deploy their resource in the hotspots where there are the highest number of road traffic accidents and fatalities. They must tackle dangerous and high-speed driving on roads such as the A909 and A809, not people who drive down Broughton Street in Edinburgh's new town at 25mph at 2 am.

We have to be realistic, and we have to legislate sensibly.

**Mark Ruskell:** Will the member give way?

**Jamie Greene:** I will, if I have time.

**The Presiding Officer (Ken Macintosh):** Indeed you do.

**Mark Ruskell:** Did Mr Greene engage with the evidence from Professor Adrian Davis that said that although a high number of people are killed

on rural roads, a far greater number of people are seriously injured—with life-changing injuries—on residential streets? We are talking about people dying in residential streets—where my school friend died. He did not die on a road like the A9; he died on a residential street in the area where he lived, and it is in residential streets that the police need to take more enforcement action.

**Jamie Greene:** The member has made his point and I hope that the police are listening to it and will reflect on it.

This has not been an easy bill to consider, but the committee gave its all. There is nothing in the bill that we did not look at. We looked at the finances—I know that it is not all about money. We looked at the impact that the approach would have on average speeds, and we found that the result would be negligible. We looked at congestion, we looked at air quality, we looked at accident reduction and we looked at adherence to and enforcement of 20mph limits. Nothing was left out. The bill did not garner sufficient support, and although our scrutiny answered some questions, it generated many more.

I will end on a mixed note. As I said at the outset, I do not think that the Government has been let off the hook on the issue; I would like the current process to be improved. Mark Ruskell's aims and ambitions are laudable, and I hope that he will command the respect of the chamber for introducing his bill. However, in my view, it is the wrong answer to the right question. Mr Ruskell can rest assured that, if the Government does not react to his concerns or to the committee's concerns, Conservative members will work with him and anybody else to ensure that, if there continue to be barriers to establishing 20mph zones where they are wanted, he will have our support in tackling them.

15:35

**Colin Smyth (South Scotland) (Lab):** I am pleased to open the debate on behalf of Labour and to make it clear that we will vote to put children's safety first by supporting the bill.

It is important to put on record the fact that, although some members have referred to "the view of the committee", it was not the view of the whole committee; almost a third of the committee's members clearly dissented from that view.

I thank Mark Ruskell for introducing the bill, because it has put the issue of lower speed limits on the political agenda and forced a long-overdue discussion on the failure of the current approach to 20mph limits to deliver the benefits to more communities.

Those benefits are clear and evidenced. Research by the Glasgow Centre for Population Health showed that the introduction of a 20mph speed limit in Scotland could result in up to 755 fewer casualties a year and five fewer fatalities. Multiple studies have shown a reduction in emissions, with research in Wales suggesting that transport emissions are reduced by 12 per cent where there are 20mph limits. The National Institute for Health and Care Excellence recommends that 20mph limits be introduced because of the benefits that that brings in reducing air pollution. Research by the Department for Transport reported a "statistically significant" increase in active travel in response to the introduction of 20mph speed limits, and Edinburgh's pilot showed that there was a 7 per cent increase in the number of journeys that were taken on foot, a 5 per cent increase in the number of journeys that were taken by bike and a 3 per cent decrease in the number of journeys that were taken by car.

During stage 1, the Rural Economy and Connectivity Committee heard about the social, environmental and safety benefits of 20mph speed limits. From improved road safety to reduced emissions to increased levels of active travel, the case for 20mph limits in built-up areas was clear. We are not talking about a rural versus urban issue. The bill would enable residential areas, whether they are in villages or cities, to gain from those benefits, and that is why it has strong public support—indeed, it received the backing of more than 80 per cent of the respondents to its consultation. Given the strength of the evidence and the support for the bill, I am disappointed that a majority of committee members decided not to recommend that the general principles of the bill be agreed to.

One of the myths that people cite in opposition to the bill is the claim that it would not work because, in existing 20mph areas, many people do not stick to that speed limit. The cabinet secretary made that point. However, that is an argument against the current ad hoc policy. It is a reason to support the bill, not to oppose it. Drivers are used to driving at 30mph. It is only by making 20mph the norm that we will change that culture and habit such that people become used to driving at 20mph. A national approach would help to ensure that that happens and that the benefits of 20mph zones are shared more equally among communities. The Faculty of Public Health in Scotland raised that issue in its submission. It stated:

"Allowing each local Council to pick and choose the areas that implement 20mph limits or zones risks widening health inequalities."

The introduction of 20mph limits has been proven to deliver significant health benefits, from

safer roads to reduced pollution to increased active travel. A postcode lottery should not determine whether people get those benefits. Only a new national default 20mph limit will deliver those benefits for all.

One of the committee's recommendations was that it

"supports the aim of seeking to widen the implementation of 20mph zones in Scotland with the objective of reducing death and serious injuries on roads."

In reply to a question that I asked the cabinet secretary during our evidence session with him, he said that 20mph limits should be introduced

"where there is good evidence that they should be introduced,"

but the reality is that that will not happen under the current system. Although councils may choose to introduce 20mph zones in their areas, many choose not to do so, even when there is clear demand for that and evidence in support of it. The piecemeal, ad hoc approach that is taken at the moment has not, will not and cannot deliver the long-term cultural change that is needed.

The Society of Chief Officers of Transportation in Scotland told the committee that, in some local authorities, there is a

"reluctance to roll out 20mph limits more widely."—[*Official Report, Rural Economy and Connectivity Committee*, 6 March 2019; c 37, 10.]

SCOTS also stated that local councils have made it clear that simply tweaking the TRO process to reduce the financial and administrative burden of introducing a new speed limit street by street—welcome though that may be—will not deliver the change that is needed. We need national action and national leadership. Agreeing to the general principles of the bill and allowing it to move beyond stage 1 would enable us to start to have the debate about what form that national action should take.

It would also be an opportunity to test the myths about the bill, including the claim that it would implement a one-size-fits-all approach across the country, even where 20mph speed limits would not be appropriate. That is simply not true. The bill would change the default speed limit for built-up areas and local authorities would still have the power to exempt roads from the default speed limit, just as they are able to introduce higher limits in some 30mph zones now.

The bill is no more a one-size-fits-all approach than the current policy of 30mph is a one-size-fits-all approach. What is being dismissed as a one-size-fits-all approach is actually a call for consistency to avoid confusion, to encourage long-term behavioural change and to ensure that the

benefits of 20mph limits are felt equally across the country.

Those who claim that local authorities should have to do the work to deliver 20mph street by street—because that is what they want—ignore the fact that many local authorities support the bill as what it proposes would be less onerous and expensive than the current system. The City of Edinburgh Council told the Rural Economy and Connectivity Committee that implementing the new speed limit in that way, as opposed to doing it independently and street by street, would have more than halved the cost.

Another myth is that the bill would increase speed limit enforcement problems. That is simply not true—there is no evidence to suggest that enforcement problems for 20mph zones are any different from the ones that we face in existing 30mph zones. That is an issue about police resources and priorities.

If the Government is truly convinced that the approach set out in the bill is not the best way to achieve the aim of moving towards a speed limit of 20mph in residential areas, it needs to come up with alternatives, because the current system is failing our communities. It needs to show the same leadership in Scotland as that shown in Wales, where the Welsh Government has set up a task and finish group to look at how to achieve its aim of implementing a default speed of 20mph. Transport for London is also rolling out 20mph across central London, and the mayor, Sadiq Khan, wants that expanded beyond the centre.

It is time for Scotland to catch up with other parts of the UK. My challenge to the Scottish Government today is for it to make clear that Scotland will show the ambition that other parts of the UK are showing; that when a child walks to school or to the play park, they will benefit from there being a lower speed limit on those roads; and that where they live should not determine whether they get those benefits. The Government should establish a task force, with a very clear aim of delivering 20mph in residential areas, and make clear that Scotland will become a safer place to live.

15:42

**John Finnie (Highlands and Islands) (Green):** I thank all my colleagues on the Rural Economy and Connectivity Committee for their diligent attention to this matter. At the end of the day, we have come to different conclusions. I am disappointed about that, but I absolutely accept that views are held in good faith. My intervention on Edward Mountain, the convener of the Rural Economy and Connectivity Committee, was not to question his role but to say that, although we all



heard the same evidence, we drew different conclusions from it. Maybe it is worth considering why we drew different conclusions.

We are all shaped by our experience. Members who have had the misfortune to deal with a child casualty might have found that that altered their perception about the relative importance of road signs and put them in a different category. My word—any cursory check of the *Official Report* will show the inordinate and ridiculous length of time that we spent discussing road signs. Road signs are a factor, but the main issue is irresponsible driver behaviour. We know that speed is one of the main causes of casualties. In its briefing to us, the Royal College of Paediatrics and Child Health very simply said:

“slower traffic makes for safer streets which means that fewer children are killed on Scottish roads.”

We all had that briefing; indeed, we have had a number of briefings.

In scrutinising the bill, people will have different views, but another issue is people having different priorities. Anyone analysing the language used in relation to this issue will see that it is shaped on a presumption that the motor car is king. A person walking anywhere who crosses the road at an uncontrolled crossing will find that the presumption is that the motor car is most important, with the right of way given to someone emerging from a junction for example.

I might have mentioned in the Rural Economy and Connectivity Committee—although maybe I did so informally in private session—a great Walt Disney cartoon that epitomises a lot of the issues. The cartoon has a character called Mr Walker, who becomes Mr Driver. Mr Walker is a lovely, friendly dog, who walks everywhere and speaks to everyone. When he comes up in the world, Mr Walker gets a car and becomes Mr Driver. What a horrible piece of work he is! He shakes his fist out the window at everyone as he drives along.

Of course, not everyone reacts like that. However, first and foremost, we must consider human beings, and I would have hoped that the human beings who would be at the forefront of our considerations would be those involved in the 755 casualties and five deaths per year. Those are hugely important figures.

Another issue that is germane to the debate and that has peppered many of the discussions that we have had is that of central direction versus local autonomy. I am conscious that Government ministers in particular use that argument, and I absolutely understand why. We in the Green Party like local government, and we like local a lot. I just wonder whether, next week, when we discuss amendments to another piece of legislation, members will say that we should stick to the idea

that central determination is inappropriate and that we need local decision making. I fear that that will not be the case, although of course we can take different decisions on different issues.

On enforcement, as a former police officer, I was bitterly disappointed by what I heard from Police Scotland. The approach that we heard about manifests itself in situations in which my constituents and other members' constituents phone the police and the first thing that they are told is, “We're very busy.” Well, we are all very busy but, if we tell someone that, we are saying that they are not a priority. Human beings are a priority, and we must direct resources to protect life and property. That is a key function.

The police said that they have a system for prioritising, which relates to deaths. I represent the Highlands, which is a largely rural region where there is not a village or small town that has not been blighted by deaths as a result of excessive speed on rural roads. However, if what shapes our priority is detecting offenders in 20mph areas, and we do not seek to detect them, that will skew the basis on which we formalise our priorities. That evidence was deeply disappointing, never mind the fact that some of it was contradictory.

**Liam Kerr:** I presume that the member recognises that, for whatever reason, the police have limited resources and limited time and therefore must make prioritisation decisions accordingly.

**John Finnie:** Absolutely. My priority—I imagine that it would be the public's priority if we asked them—is the 755 casualties that could be prevented and the five lives that could be saved. As I said, irresponsible driver behaviour is a main factor. The cabinet secretary is entirely right that we can design out problems and that some roads are more amenable to 20mph zones. However, there are roads that are designed in that way, such as Easter Road, which I walk every other day, but where people go at excessive speeds. There must be enforcement of the existing arrangements.

On the idea that cost is a factor, everything is absolutely about priorities. My colleague Mark Ruskell mentioned a considerable number of organisations that support the bill. Are we really saying that the number of signs in a rural village is more important than taking steps to address the issue? We assess the risk and put in place steps to ameliorate that risk. The most obvious step that we can take is on speed, and everybody accepts that, including the road professionals and the police. The idea that we are not concentrating on addressing a situation by putting in place legislation that would result in five children's lives being saved is deeply disappointing.

15:48

**Mike Rumbles (North East Scotland) (LD):** No one could be against a bill that is designed to reduce death and serious injury on our roads, and who could be against measures that would increase child safety? On the face of it, the bill that is before us purports to be just such a bill. Indeed, when its author, Mark Ruskell, responded to the Rural Economy and Connectivity Committee's report on it, he said that the report

"puts the motoring lobby ahead of child safety."

His approach and response to the committee's findings about the inadequacies of his bill seem to me to have been designed to try to deflect our criticism of his bill and pretend that some kind of "motoring lobby", to use his words, has captured committee members. I am pleased that he did not repeat that ridiculous charge today, and I contrast his response with the measured response that we have just heard from my fellow committee member John Finnie.

Members of the Rural Economy and Connectivity Committee have given the bill a fair hearing. My Liberal Democrat colleagues and I want there to be fewer accidents and safer roads across the country. However, according to the evidence that I heard, the bill would deliver neither of those aims.

It is a myth that the bill would deliver a standard 20mph speed limit to replace the 30mph limits across the country—it would not. Despite the bill's name, it is designed to reduce the speed limit only on C-class and unclassified roads. Many people in our rural communities want to reduce the speed limit to 20mph on our A-class and B-class roads that run through our villages, but the bill would not do that and, to be fair to Mark Ruskell, he does not pretend that it would.

The bill would force every single road and track in our villages that are covered by street lighting to have 20mph signs erected at the junctions where they meet the through-village roads. It would miss the road safety target spectacularly.

**Mark Ruskell:** Will the member give way?

**Mike Rumbles:** No.

**Claudia Beamish (South Scotland) (Lab):** It is his bill.

**Mike Rumbles:** Members have had their chance. We have had two speeches from the Greens already. They have made their points. Let me make the points from my perspective, and then I might take an intervention later.

The evidence from rural local authorities such as Scottish Borders Council—we have heard criticism of that council—repeatedly suggested that speed is not the major cause of death and

serious injury in the areas that would be affected by the bill. Slow-moving vehicles reversing and the like were far more of a danger. Such councils were concerned about the need to spend scarce resources on safety measures on their rural 60mph roads, where deaths and serious injury are far too common. I can vouch for that in Aberdeenshire. The councils were concerned that the money that they would have to spend as a result of the bill would be taken away from their road safety focus.

Addressing the issue of money head on, the transport secretary, in a letter to our convener, said:

"the costs associated with this Bill have been significantly underestimated and if this Bill was passed would divert resources away from existing road safety and active travel activity, potentially undermining work that would be more effective at reducing casualties."

When the committee said in its report that it

"is of the view that the estimated costs and savings associated with the Bill proposals are not robust",

we were being polite. When I asked Mark Ruskell at a committee meeting how he estimated his costs in the financial memorandum that accompanies the bill, he said that he had looked at Angus Council and simply extrapolated from there. That is simply not good enough, and many of those who gave us evidence estimated that the costs of his bill would be many millions of pounds more than he estimated.

**Alison Johnstone:** Will the member give way?

**Mike Rumbles:** No. I have only six minutes.

The City of Edinburgh Council has achieved all that it wished to achieve with its 20mph zones under the current legislation. However, if the bill were passed, that council would need to spend another £1 million—[*Interruption.*] Members do not like hearing this, but I will say it anyway. The evidence that we received suggests that the council would need to spend another £1 million to take down 20mph repeater signs in order to comply with the law.

**Mark Ruskell:** Will the member take an intervention?

**Mike Rumbles:** It would be better if members listened.

Perversely, in my view, the City of Edinburgh Council is in favour of the bill because, as we heard, it thinks that, if the bill were passed, it would get that funding from the Scottish Government. What a waste of public money that would be: every local authority that has already pursued the introduction of 20mph zones would be faced with a bill for taking down their 20mph repeater signs.

**Claudia Beamish:** Will the member give way?

**Mike Rumbles:** If I had more time, I would love to take interventions.

I have heard the evidence. Many members in the chamber did not sit through all the evidence-taking sessions that we sat through in the committee. What convinced me that the bill is unnecessary was the evidence from the transport secretary, who told the committee that he already has the power to change speed limits through regulations. If he thought that that was the right thing to do, he would do it. He does not think that it is the right thing to do, and I agree with him. I will say that again: I agree with the transport secretary. For road safety, the bill would be counter-productive.

I gently say to Mark Ruskell that members of the committee have all listened carefully—I would like other people to listen carefully—to all the evidence that was presented to us. To use an advertising slogan, we found that the bill does not do what it says on the tin, and it should not be supported at decision time.

**The Presiding Officer:** That concludes the opening speeches and we turn to the open part of the debate.

15:54

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** I rise to speak as someone who signed in support of the proposed bill, but who, having heard the evidence, has come to a disappointing conclusion—it is as disappointing for me as it will be for others.

Let us start with the fundamental thesis, which is a matter on which we will undoubtedly agree. There is European Union research that says that a human-car collision at 20mph has a 10 per cent probability of fatality. At 30mph, the probability of fatality rises to 40 per cent, and at 50mph, the probability is 100 per cent. We can draw the line on a chart: increasing speed in a collision causes deaths.

Those figures are for an adult being hit by a vehicle. I do not have equivalent figures for a child being hit by a vehicle. However, we should not think for a second that the effects would be substantially less severe. I think that we have a shared view—I am sure that Mike Rumbles would agree with this—that speed kills. The question is not so much whether there is a problem waiting to be solved and to which we should turn our attention as how we should solve that problem.

I have some numbers from other research. A 1 per cent increase in speed results in a 4 per cent increase in fatal accidents. The relationship between speed and the outcome of accidents is

clear and unambiguous. The work of the committee absolutely recognised that.

We must be careful about what the bill does. There is a danger that we mislead ourselves on that. I confess that I have not looked at the detail of what the Welsh are proposing to do. I heard Mark Ruskell—whose every effort on the bill I utterly commend, without reservation—say that the Welsh are changing the national speed limit. However, the bill before us does not do that—it addresses only restricted roads.

Despite previously having been transport minister, I had never heard of restricted roads or knew what they were—it was not a distinction of which I was aware. Mike Rumbles referred to a restricted road as being a road that is not an A road or a B road and has lampposts no more than 185m apart. That properly covers most of the roads in most of our towns and villages where pedestrians, and young pedestrians in particular, are likely to be found.

**John Finnie:** I am very grateful to the member for taking a brief intervention. Given what he has just said, does he agree that it is astonishing that people, including the cabinet secretary, say that they do not know the total length of such roads?

**Stewart Stevenson:** Paragraph 140 of the committee's report notes that the committee heard that

"21 per cent of local authorities have ... identified the roads that they would wish to switch to a 20mph limit and those on which they would retain a 30mph limit. Another 29 per cent say that they have the asset data to allow roads to be identified."—[*Official Report, Rural Economy and Connectivity Committee*, 6 March 2019; c34.]

There is certainly a lot of ignorance out there about the state of our roads and I accept that that is a driver to do something about it. That is unambiguous. It is disappointing that the percentages are as low as reported at paragraph 140 of the committee report, because ignorance is not a good basis for policy making and action on the ground. I congratulate urban areas, such as Edinburgh, that have invested the time and effort in making the difference.

It is worth reminding ourselves of the evidence we heard that the introduction of a 20mph zone where the limit had previously been 30mph appears to result in only a 1mph reduction in average speeds. However, averages are not the whole story. I have to say that the real problem is what those who break the law do on a 20mph road compared to a 30mph road. I do not think that we took evidence that answered that question, but we probably instinctively believe—I instinctively believe—that someone who is going to break the law will break the law anyway. We should not

therefore simply put the question of enforcement to one side.

**Jamie Greene:** I am listening with careful interest to my committee colleague. He started off by saying that he was a proposer and a proponent of the concept behind the bill. I am interested to learn what was the primary thing that made him change his mind and take the position that he now takes. It would be helpful to know that.

**Stewart Stevenson:** I was just about to come to that. It is a perfectly proper question that I should be asked, given my starting and ending points in the debate. It is also worth saying, in the interests of balance, that political colleagues who will speak from the SNP benches will give different views of the subject.

Ultimately, I was driven by the evidence to the conclusion that the bill is not the most straightforward way of achieving the objectives that it sets for itself. It might be easier to do that by changing the speed limit.

First, many villages have streets that do not have street lighting so, strictly speaking, they are not caught by the restricted road requirement. Mr Chapman and I could probably identify one or two.

**Mark Ruskell:** Will the member give way?

**Stewart Stevenson:** Yes.

**The Deputy Presiding Officer (Linda Fabiani):** The member is in his final minute.

**Stewart Stevenson:** I am sorry; I wanted to be helpful to Mr Ruskell.

Equally, many A or B roads go through many towns or villages and it would be appropriate to consider them for a 20mph limit.

The bill is a worthy attempt to address the issue, but it falls short in terms of capability of implementation and cost of implementation. I went through a little village close to me recently, and I counted that it would need 80 signs.

We must not take the pressure off the Government and the cabinet secretary to find a way forward, but I am not persuaded by the evidence that the bill is the way forward. I say that with grave disappointment, because I support the member's objectives.

16:01

**Liam Kerr (North East Scotland) (Con):** I am pleased to be given the opportunity to speak today, not as a committee member, but as an advanced driver of 26 years who used to put in around 40,000 road miles a year through most UK towns and cities. I am also a commuting, road and racing cyclist who believes strongly in active travel

and the need to get more people cycling, particularly on urban roads.

I say that at the outset, because I want to recognise the work that Mark Ruskell has put into the bill. I believe that he is asking the right questions. He is seeking practical measures that could improve air quality, encourage active travel, reduce pollution and reduce accidents. That is the right thing to do, but I do not believe that the bill will achieve it.

For example, if everybody was driving at 20mph then of course any accidents—which will still happen—would be less serious than they would be at greater speeds. However, despite the member's response to my earlier intervention, I know that that will not happen. I saw the committee's conclusion that compliance with 20mph limits is poor, and that supports evidence from Transport Research Laboratory research several years ago that found that 20mph limits reduced average speed by 0.9mph. The first area to introduce a blanket 20mph limit was Islington, and it cut the speed of 85 per cent of traffic—not all of it—by 1mph on average. The evidence suggests that a mandatory 20mph limit would not significantly reduce speed, and I am not convinced that it is right to mandate a cost of £10 million on to our local authorities for a possible return of 1mph.

**Mark Ruskell:** It would be £10 million across the whole of Scotland. There has been a lot of confusion about this in the committee, so does the member not recognise that an average speed is an average, and that there has been a much greater reduction in speed, particularly on higher speed roads, when the 20mph limit has been introduced? We might be looking at a reduction of 8, 9 or 10mph on those higher speed roads; that is what the evidence has shown.

**Liam Kerr:** I do not accept that that will happen across the board. I point the member to what Stewart Stevenson said about average speed. His point was well made. When we average out the speeds, we get a certain answer, but we need to understand what happens when people do not comply. I will come back to that point shortly, if I may.

I am not convinced that a 20mph limit would impact materially on safety. There is a Department for Transport study that suggests that. Ironically, a study from York suggests that 20mph limits could increase rather than reduce the risks, because they lull pedestrians into a false sense of security. That understanding of behaviour is important, as it applies equally to drivers. If the need for people to consciously drive is removed, their attention is reduced. If an arbitrary limit is imposed on a straight and clear urban artery with minimal traffic on a sunny day, drivers will glaze over, or they will

simply ignore it, as happens now with blanket prohibitions that take no account of prevailing conditions.

**Mark Ruskell:** It is just incredible that Liam Kerr has not engaged with the evidence. The four-year Department for Transport report found no evidence for the claims that he is making.

**Liam Kerr:** I absolutely do engage with the evidence, and I speak as a driver. The problem is that we cannot divorce the bill from the reality of what is going on outside and what will happen.

Research suggests that drivers use clues from the environment around them to judge appropriate speeds. Good drivers know that a limit is just that: it is a limit, not a target. As a practical solution, we should ensure that drivers are trained to judge the appropriate speed and not delegate responsibility to an arbitrary yet mandated limit. Where limits do not match the environment or prevailing conditions, uncertainty and confusion are generated, which distract from appropriate decision making. On the contrary, a speed limit that matches the road environment and promotes self-compliance and confidence in the system removes the need for enforcement.

Would the limit be enforced? No. I found Chief Superintendent Carle's evidence to the committee persuasive. He said that he would target limited resources to where the majority of casualties take place.

I think that the committee heard that mobile camera units are not even calibrated for 20mph.

**Stewart Stevenson:** Will the member take an intervention?

**Liam Kerr:** I am very short on time.

**Stewart Stevenson:** It is information that Liam Kerr needs. That was initially said to the committee and subsequently corrected.

**The Deputy Presiding Officer:** I can allow Liam Kerr some extra time.

**Liam Kerr:** I am very grateful to Stewart Stevenson.

John Finnie is right. As he said, what causes casualties is irresponsible driver behaviour. I go back to what Stewart Stevenson said. A speed limit will be breached by irresponsible drivers, whatever happens.

I simply do not believe that there would be an increase in the safety of cyclists. Even if a 20mph limit were put on the Great Western Road in Aberdeen, my wife and kid would still not be on it. If the £10 million that the committee heard about was spent on segregated bike lanes, we would then start to talk.

The solution—the way to increase road safety and remove decisions on adherence to road laws, and the solution to the issue of enforcement—is targeted 20mph zones that are enforced by appropriate measures such as speed bumps and road designs that are determined by those who know a community's roads best, who are the people who live in the community, key stakeholders and the local authority. The measures should be restricted to locations in which, and times when, the need for a 20mph zone is obvious.

Any 20mph zone must be self-enforcing by ensuring that the signposting, features and traffic-calming measures make sense to the road users. Instead of imposing restrictions on all drivers to catch the careless, the uncaring or the irresponsible, segregated design features for enhanced pedestrian and cycling safety should be built in.

The bill's fundamental premise of a blanket 20mph limit would fail to achieve its stated aims, and there are better ways to achieve behaviour change. For that reason, I will not support the principles of the bill at decision time.

16:08

**John Mason (Glasgow Shettleston) (SNP):** I am very pleased to speak in this debate, having been on the Rural Economy and Connectivity Committee as we took evidence from Mark Ruskell, the Government and many others.

The first thing that I want to stress is that, as other members have said, there was widespread agreement that 20mph is better than 30mph in residential areas. It is clear that a child or an elderly person who is hit by a vehicle going at 20mph will be much less seriously hurt than they would be if the vehicle was going at 30mph. The issue is particularly important to me, as there are more accidents in deprived areas, such as parts of my constituency.

The Glasgow Centre for Population Health, which is based in Bridgeton in my constituency, argues that there would be

“a significant positive health impact, specifically in reducing the number and severity of road traffic casualties.”

It also says, with regard to the south of central Edinburgh and the permanent scheme in Bristol, that

“significant reductions in road traffic casualties and accidents are potentially possible”

and that

“the introduction of 20mph limits in South Central Edinburgh and Bristol led to reductions in average speed, and in the case of Bristol significant casualty reductions”.

The disagreement on the committee involved not where we want to get to but how to get there. Edinburgh already has 80 per cent of its roads at 20mph so, clearly, that can be done under the present system. However, Edinburgh said that the bill would be helpful as it would save other councils from having to go down the lengthy and expensive route that it had to go down.

Glasgow City Council is supporting the bill. It sees it as providing a simpler and less expensive way of achieving a wider roll-out of 20mph zones. There is a strong argument that having a national approach would provide consistency and is more likely to change public perception. It is in people's minds now that 30mph is the norm. We need to change that thinking so that 20mph becomes the norm.

I accept that there are arguments against the bill, including, for example, the belief that there would be some uncertainty about which roads are restricted and which are not. Personally, I question whether that uncertainty really affects a huge number of roads. Another argument against the bill involves questions over the robustness of the financial memorandum. However, frankly, having been in this place for about eight years, I think that you could say that about most financial memorandums. Again, I do not think that that is a killer point against the bill.

The potential multiplication of road signs is more of a real challenge. If every A and B road were to remain at 30mph while every restricted road were to be 20mph, it would mean that there would be speed signs on virtually every corner. However, again, the counterargument to that is that Edinburgh has avoided that, to some extent, by making wider areas 20mph—it is not only the restricted roads that are 20mph but, in fact, part of the A1, too. Therefore, councils would still have the power to reduce A and B roads to 20mph, thus giving more of a zonal approach and building on the bill's focus on the exact classification of certain roads.

On the subject of signage and cost, one big uncertainty has been around repeater signs. Currently, repeater signs are not allowed in a 30mph zone, although they are required for 20mph and 40mph sections in cities. If the bill went through, and the rules were not changed, it would be 20mph repeater signs that were not allowed, while 30mph and 40mph repeater signs would be required. The financial memorandum gives a cost of between £1 million and £2 million for removing existing 20mph repeater signs.

There was quite a lot of agreement on the committee that that system perhaps needs to be reviewed. I think that the cabinet secretary said that he would be prepared to do that. There are certain roads in my constituency, such as Clyde

Gateway, a relatively new dual carriageway that members might know, that, by Liam Kerr's argument, should be 40mph roads. Clyde Gateway feels like a 40mph road, but it is a 30mph road. There are complaints about speeding on it, but the council is not allowed to put up repeater signs. There is an issue there, quite apart from the bill.

On the question of the environmental impact of the bill, the jury is still out. We heard evidence that slowing traffic down could cause some engines to perform less efficiently, whereas we also heard evidence that some engines perform well at lower speeds and that, if traffic flow becomes smoother, that would be positive, too. The Glasgow Centre for Population Health said:

"The health impacts on air pollution of this type of speed limit reduction has not been estimated due to data constraints".

Enforcement is another key issue. There appeared to be some misreporting in the media of evidence that we received. The police seem clear that their emphasis should be on faster roads outside towns where there is a 60mph limit and on which any crash is more likely to lead to deaths. So, already there may be a question over whether more emphasis should be placed on tackling speeding in residential areas, even if the speed limit stays at 30mph. I do not think that the issue of the speed limit being 20mph or 30mph affects the argument.

One slightly ironic angle to the bill is that we often think of the Greens as the party of localism and decentralisation but, in this case, they appear to be the party of centralisation while the Government is arguing for local authority responsibility to remain unchanged.

In conclusion, I was one of the three who voted to support the bill as the committee prepared its report. I am still not persuaded to oppose the bill, despite strong Government arguments against it. As I have said, I recognise that there are arguments on both sides, and that there is broad agreement that we should be moving towards a wider use of 20mph limits. Therefore, I will be abstaining at decision time today, which will probably keep few people entirely happy. Hopefully, as things progress over time, we will see something else happening.

16:14

**Daniel Johnson (Edinburgh Southern) (Lab):**

I thank Mark Ruskell for introducing the bill and for doing the hard and diligent work that has gone into it. I know that it is no mean feat to introduce a member's bill, as I am attempting to do the same thing. It is undoubtedly a worthy and important issue, but, unfortunately, it looks to be one that will

not prevail today. We are going to lose the opportunity for Scotland to be, once again, at the forefront of change. At the end of the day, we will return to the issue but, I fear, as a laggard. That is the reality.

It is an important issue. I say that as much as the MSP for Edinburgh Southern, where the initial trial in Edinburgh took place, as I say it as a parent and an Edinburgh resident. It is unequivocal that, if we reduce traffic speeds, we will save people from injuries and we will save lives. Approximately 900 children were injured on our roads in 2017, and the reality is that 20mph limits make children seven times less likely to be injured if they are hit. Indeed, where 20mph limits have been introduced, such as in Hull and in London, we have seen casualty numbers drop by as much as half. That change is worth having and worth making the effort for. It is not going to be easy, and there will be costs, but if introducing 20mph limits saves lives, and if it saves people from injuries, it is worth doing. The decision that members have to contemplate at decision time is whether those injuries are worth preventing and whether those lives are worth saving. That is why I think that the bill is important.

My experience in Edinburgh is that the 20mph limit is achievable. I have had to take a small amount of leadership on it and have personally defended the 20mph limit policy, which was introduced by the previous Labour and Scottish National Party coalition at the City of Edinburgh Council. People said that it was unnecessary and inconvenient and that they do not like driving at 20mph. My favourite comment was someone saying, "My car doesn't go at 20mph." All cars go at 20mph. I had to stop myself giving people driving instructions—I did not go that far.

The 20mph limit is worth having and, indeed, it is enforced. I have been out with the local police as they have stopped cars that were going in excess of 20mph just one road over from the one in which I live. In Edinburgh, the experience has been that the average speed is down and local support for the initiative is up. We have already seen a drop in the number of casualties as a result, which is something that the whole of Scotland should enjoy.

My personal experience as a driver is that my car is more fuel efficient since the introduction of the limit—I have seen it on the trip computer. Frankly, I find driving calmer, because traffic speeds are down. I believe that, above all else, our roads in Edinburgh are a better place for all road users, whether they are walking, cycling or driving.

I believe that the bill is a good proposal. It is notable that the City of Edinburgh Council said that the costs that it incurred when it introduced a

20mph limit would have been halved if it had done so under the proposed system. Yes, there are costs, and perhaps the financial memorandum is not 100 per cent accurate—as John Mason pointed out, which financial memorandums are?—but the bill would make the measure cheaper to introduce.

There is a degree of inconsistency in some of the arguments that have been made against the bill. On the one hand, we have heard arguments about compliance, and, on the other hand, we have heard arguments against taking a one-size-fits-all approach. Surely, a consistent approach to the application of our road rules would drive up adherence to them. Are people really arguing that we should have localised highway codes in different towns and villages? That is nonsense. We have a single highway code on our roads because having a single, consistent set of rules is how we make sure that people follow them, as they know what the expectations are.

In 1861, when the first speed limit was introduced, the limit was 10mph. We do not hear people arguing for that limit now, nor do they argue for the red flag bearer who had to precede the car as it was driven down the road. Such things are a matter of habit and culture, and habits and culture can be changed. Indeed, it is our responsibility to seek to change habits and culture when we believe that there would be benefits in doing so, and I believe that this is one of those situations.

Greater consistency would make enforcement easier, and, if having the limit is a priority, we will enforce it. The matter is difficult for police. If 700 officers are removed from local divisions, how do we expect them to enforce even the existing speed limits, let alone the new 20mph ones? However, if it was a priority, we would make it happen. Frankly, it comes down to leadership.

I understand that there are mixed views. When it comes to change, there are always cautious voices. People can be defensive about how they use their cars to go about their local communities, but there is a need for change and it is incumbent on us to stand up and make the arguments for that change. The proposal would make people safer and would save lives. For those reasons, I urge all members to think of their consciences and vote in favour of the bill at decision time.

16:20

**Clare Adamson (Motherwell and Wishaw) (SNP):** I thank Mark Ruskell for bringing this important issue to the fore in his member's bill. I also thank the members of the Rural Economy and Connectivity Committee for their diligence and deliberations as they went through the stage 1

proceedings. As a former North Lanarkshire councillor and a member of the Scottish Accident Prevention Council, and as the convener of the cross-party group on accident prevention and safety awareness, I am and will continue to be a full supporter of appropriate 20mph limits in Scotland. I was keen to be a signatory to the proposed bill when Mark Ruskell first brought it to our attention. I have listened to the debate and I have read the evidence and the stage 1 report. I accept that the bill is unlikely to progress today, but I will comment on a number of key areas.

In front of me, I have notice of North Lanarkshire Council's award-winning entry in the Prince Michael international road safety awards. The entry—"North Lanarkshire – 20's Plenty: highway engineering improvement, 2005"—explains that

"North Lanarkshire believes that speed reduction will result in casualty reduction. It introduced a 20mph speed limit in every residential area in North Lanarkshire in 2001-2 at a cost of £360,000. North Lanarkshire Council is still the only authority to have introduced the advisory 20mph measures throughout its full area. As part of an integrated programme of public education the 20's plenty campaign increased public acceptability of this speed reduction measure."

I also have the statistics for road traffic accidents from 1995 to 2017. In the year following the introduction of that 20mph speed limit, North Lanarkshire had its biggest percentage reduction in the number of road traffic accidents on record. In that time, there was a 15 per cent reduction and there were 144 fewer road traffic accidents. In line with other road traffic accident statistics across Scotland, that figure has continued to improve, and I commend the Government for the work that it has done to encourage safer roads. Those statistics brought home to me the impact that twenty's plenty can have in a community. Although it was a local decision that was made for local reasons, such an approach could benefit the whole of Scotland.

We are not supposed to use props, but I have with me the Royal Society for the Prevention of Accidents publication "Scotland's Big Book of Accident Prevention". I will read out a couple of facts from the book. We have talked a lot today about money and the cost of the change, so the first fact is that,

"In Scotland, accidents cost society more than £12.4 billion per annum, of which A&E attendances cost the NHS £1.48 billion".

As well as looking at the cost of a road accident or fatality in Scotland, the book looks at the wider societal costs such as the loss of income, the loss to the economy and what might happen when someone has a debilitating injury that leads to intervention for the rest of their life.

The second fact is that

"Children of parents who have never worked or are long-term unemployed are 20 times more likely to die as pedestrians than children of parents in higher managerial or professional occupations".

That, for me, is a social justice issue. Reducing the number of accidents and making our society safer for children are as much about tackling poverty and societal inequality as, for example, the use of the pupil equity fund in schools and other interventions such as those that we are putting in place for the early years. This is absolutely crucial.

As has been mentioned, we want Scotland to be the best place in the world to grow up in. That being the case, we need to take accident prevention more seriously. As I have said in the chamber on several occasions over the past few weeks, I am delighted that the Government is looking to embed in our legislation the United Nations Convention on the Rights of the Child, which has a specific section on accident prevention. Accident prevention will continue to be a social justice issue, and we cannot ignore it.

It is unlikely that the bill will go forward today, but I would point out that, although North Lanarkshire Council introduced its twenty's plenty initiative in 2001, which means that it has been running for nearly the life of this Parliament, it is clear that some local authorities are still dragging their heels on this. Today, I am putting my faith in the Government, our colleagues in COSLA and everyone who has supported the principle of 20mph zones to work with those councils and encourage them to look at what they can do in their local areas to make real progress on the issue. We have had warm words for far too long now; it is time for this to get done.

Although this is not just about signage, among the many things that are coming our way as part of the fourth industrial revolution are black-box technology and modified signs that have the ability to report back on what is happening. At one point, there was going to be a digital map of Scotland that would show all our streets and the speed limit in each area, which could have been linked in to the whole system. That sort of thing would not only help with police enforcement; our insurance companies would surely be interested in it, too.

16:26

**Claudia Beamish (South Scotland) (Lab):** Yesterday, I went outside Parliament to meet demonstrators from across the country who understand the significance of the bill. Friends of the Earth Scotland, Cycling UK, pedal on Parliament, Spokes Lothian, GoBike and the twenty's plenty campaign joined forces to organise the demonstration after the Rural Economy and Connectivity Committee failed to recommend that the bill be agreed to at stage 1 and claimed that a



one-size-fits-all approach was not appropriate. Dissenting MSPs John Finnie, Colin Smyth and John Mason rejected the conclusion, pointing out that the current patchwork of different speed limits was confusing to motorists. Moreover, in the debate, Daniel Johnson has said that, having seen the effects of a 20mph speed limit in his constituency, he believes that it is achievable and something that all of Scotland should enjoy.

Why, then, can neither the Scottish Government transport secretary nor indeed the majority of the REC Committee grasp the importance of a change that, as Mark Ruskell pointed out earlier, so many councils are in support of? I sat in on two of the committee's evidence-taking sessions, and found the evidence in favour of Mr Ruskell's bill to be compelling. The consistency of approach would surely be similar for a default 20mph speed limit as for a 30mph default. This is about residential, living streets and, as Colin Smyth said, only a national default speed limit will bring benefits to all. I find it sad that there were not more MSPs at yesterday's demonstration to listen to what was being said and to see 60 demonstrators place outside our Parliament a chair for every life that could have been saved. As they said, each chair represented a life interrupted. For that reason alone, we as a Parliament should support the bill at stage 1.

Sally Hinchcliffe of the pedal on Parliament campaign, and a resident of Dumfries, has stated that the bill would succeed in

"eliminating the postcode lottery of safer streets for children walking or cycling."

I agree. As a city cyclist myself, I am keenly aware of the speed of cars, vans and lorries, and the evidence of a default 20mph speed limit clearly shows that it would encourage more citizens to take up active travel options such as walking or cycling. It is, frankly, a no-brainer.

A shift to active travel would, of course, mean fewer vehicles on our roads and, as John Finnie said, quoting the Royal College of Paediatrics and Child Health,

"slower traffic makes for safer streets".

Is the car still king? Does the desire of motorists to go that bit faster count for more than the increased risk of a 30mph limit causing more serious injury and death to vulnerable road users? Surely not.

What of air quality? It is frankly shameful that Scotland has been in contravention of the EU air pollution standards. Air pollution causes about 2,500 early deaths a year in Scotland. It is not only the deaths that we should consider, but the effect of air pollution on vulnerable people with chronic lung conditions. There is increasing evidence about the effect of air pollution on children's health and now there is research into cancer in children

and mental health in children in relation to air pollution. There is also evidence about the contribution of air pollution to the development of Alzheimer's in older people. Surely any measure that is proven to lower air pollution should be given serious further consideration and not be rejected at stage 1?

There is also evidence that more deprived communities are more affected by road traffic accidents. Analysis by Sustrans found that children in Scotland's poorest areas are nearly three times more likely to be injured by road traffic. Surely it cannot be right that we fail to address that when we have the opportunity?

It is clear that a 20mph limit around our schools is not enough because many injuries, as I have heard in the committee meetings, occur in the residential streets beyond those limits.

Daniel Johnson stressed that the habits and culture of drivers can be changed and these concerns, as Colin Smyth said, are not restricted to our cities—large villages and small towns are impacted by the range of issues that Mark Ruskell's bill would contribute to addressing.

Tony Hancock—not the Tony Hancock, but another Tony Hancock, who is vice-chair of the Royal Burgh of Lochmaben and District Community Council—told me recently:

"We have been trying to get a 20mph speed restriction in Lochmaben High Street for the past 10 years. Speed monitoring by the Council has shown that up to 800 vehicles per day are exceeding the 30mph speed limit. Lochmaben has an unusually wide High Street and an ageing population for whom crossing the road can be hazardous."

**Stewart Stevenson:** Will the member take an intervention?

**Claudia Beamish:** I do not think that I have time—I am sorry. I want to make a few points in summing up.

**The Deputy Presiding Officer:** I can allow you the time.

**Stewart Stevenson:** Can the member confirm that the road through Lochmaben is an A road and therefore would not be covered by the bill?

**Claudia Beamish:** That is not the case for all the roads in Lochmaben, by any means.

Tony Hancock pointed out, as I said, that Lochmaben has an unusually wide high street and there is a primary school nearby that is accessed from the high street. The point that I am making—*[Interruption.]*

**The Deputy Presiding Officer:** Excuse me, Ms Beamish. I ask Mr Rumbles and Mr Stevenson to stop yelling at each other along their row of chairs. Thank you.

**Claudia Beamish:** It is important to understand that they also want the 20mph limit to apply in other parts of Lochmaben, including where the primary school is. Tony Hancock has asked me to vote for the bill, which I certainly will. Lochmaben and other villages can rely on the support of Scottish Labour for Mark's bill.

As Friends of the Earth Scotland reminds us, the measures in the bill would also contribute to tackling the climate emergency by tackling transport emissions. That is also an important issue.

Recently, we have heard from the City of London Corporation that it will reduce the speed limit in the Square Mile to 15mph, subject to Government approval. The proposal follows a notable reduction in deaths and serious injuries on the roads in the region after the 20mph limit was introduced. That reduction was seen as a good reason to bring the limit down further. The corporation states that it will

"make the streets more attractive places to walk, cycle and spend time".

How depressing that we appear to be falling behind and that we are having to fall back on a default task force—if the minister agrees to it—and some vague and frankly rather weak waffle from the minister. London has been consulting on a default speed limit of 20mph, as has Wales. Europe—let us face it—already has a default speed limit of 30km per hour, which is well below our 30mph.

This bill would make a significant contribution to a whole range of issues, including making roads and residential streets safer and more agreeable. Scottish Labour says, let us support Mark Ruskell's bill, even at this late stage. We need national action and national leadership.

**The Deputy Presiding Officer:** I remind members to always refer to fellow members using their full names, please.

16:34

**Peter Chapman (North East Scotland) (Con):** I thank the committee clerks for helping us to draft the report and I thank all those who provided evidence to the committee. Of course, I also thank Mark Ruskell for introducing the bill.

We have had a good debate and I want to start by saying that safer roads are obviously something that we all support, both in the committee and right across Parliament. That has never been in question.

We want everyone to be as safe as possible when they get in their car, jump on their bike or walk to school or work. That is why the committee supported the aim of widening the implementation

of 20mph zones where that is appropriate, with the objectives of reducing deaths and serious injuries on our roads and encouraging more people to cycle and walk. However, the committee also had to decide whether it agreed with the bill's proposal to introduce a default 20mph speed limit on all restricted roads, and we could not accept that proposal.

The committee made the bold but right decision to vote against the bill, because the evidence to support it is not there, as the committee's report clearly reflects. It became obvious throughout our productive and informative evidence sessions that a blanket one-size-fits-all approach is not appropriate for Scotland. In that evidence and in the debate, we have heard that a simple 20mph speed limit has a limited impact on speeds on the ground. Design features on roads are equally important or even more important in lowering speeds. We need self-enforcing limits.

The committee heard that Police Scotland does not monitor or prioritise the enforcing of 20mph limits, so real-time speeds are only about 1mph lower in areas with 20mph limits. That is not a significant reduction.

**John Finnie:** I know that the committee heard conflicting evidence about speeds, but does Peter Chapman acknowledge that the evidence was unequivocal about the implications of a child being hit by a vehicle and that any potential to reduce speeds at impact, however modestly, is welcome?

**Peter Chapman:** I agree and have said that that is welcome, but we need to reduce the speed limit in the right places. My problem is that the bill proposes a 20mph limit across Scotland, which I do not agree with.

I agree with Mike Rumbles that where resources are limited—let us be honest that resources are always limited—the bill would divert resources from other measures that could have a far bigger impact on road safety. That is relevant in rural areas such as my part of Aberdeenshire.

Some say that the bill would be good for air quality but, as John Mason said, the committee heard evidence that the effect would be limited—some said that air quality would be slightly better and others said that it would be slightly worse. That was inconclusive, so I disagree with Claudia Beamish that the bill would greatly improve air quality.

The committee agreed that the existing legislative processes that enable local authorities to implement 20mph speed limits should be more straightforward and easier to implement. We therefore welcome the Scottish Government's current exercise to consider ways of achieving that. I ask the cabinet secretary to comment in closing on how that work is progressing.

The best way to implement speed limit changes is case by case. Local authorities should be able to decide on the areas where a 20mph limit is appropriate. We should let councillors decide that rather than be dictated to from above. It has been abundantly clear for many years and is clear to me as an Aberdeenshire MSP that, in my part of the world, by far the most accidents that cause fatalities or serious injuries happen on rural roads.

A prime example comes from the A947 from Aberdeen to Banff, where the rate of serious and fatal accidents is 60 per cent higher than the national average. The A952 from Ellon to Fraserburgh and the A90 from Aberdeen to Peterhead have similar rates that are horrendously bad. The sad fact is that serious accidents occur on those roads almost every week.

I want investment in infrastructure and in police time and resources for such roads. The message from Scottish Borders Council was very much the same—it said that the bill would have a detrimental financial impact and would be unlikely to have any impact on accidents in that council's largely rural area. I therefore disagree with Colin Smyth. As far as this argument is concerned, there is a difference between rural and urban areas.

During our evidence sessions, the financial impact of implementing a blanket 20mph limit was unclear, and we consider that the financial memorandum is not robust.

It is clear that, although there is merit in what the bill is trying to achieve, its general principle of a one-size-fits-all, top-down approach is not the way forward, and I will not support the bill.

16:40

**Michael Matheson:** I have listened carefully to members' speeches this afternoon, and I am grateful to all those who have contributed on this important issue. I reiterate my recognition of the work that has been undertaken by Mark Ruskell, and of the debate that it has stimulated on 20mph zones and the 20mph limit.

I set out two important issues in my opening remarks. One was whether 20mph zones and limits are the right thing to do in the right place. Yes, they are. Is what is set out in the bill the right way to go about that? I do not believe that it is.

John Mason summed up the debate very well when he stated that it is not so much about where we want to get to as it is about how we want to get there. That is a particularly important point. It is also important, from my perspective, to put on the record that some of us not agreeing with the proposals that are set out in the bill should in no way be interpreted as our not caring about the safety of children, about speeding on our streets

or about safety on our roads. Nothing could be further from the truth. In particular, Mark Ruskell suggested in his speech that, if we are not supporting his bill, we are in some way doing nothing about the issue. Again, that is factually incorrect: I am afraid that it is not a reflection of what is happening.

**Alison Johnstone:** The latest Transport Scotland statistics tell us that serious accidents involving children walking and cycling have increased, that adult pedestrian deaths have increased, and that there has been a marked increase in the number of adult cyclists involved in serious accidents. Things are going in the wrong direction.

What I am trying to understand is this. The cabinet secretary's investment in walking and cycling is really pitiful, at 3 per cent of a huge budget, he has never suggested that he is interested in presumed liability, and he does not like my colleague's proposal. Is he therefore suggesting that he will just leave things to chance? What is he going to do?

**Michael Matheson:** That type of contribution does not take the debate forward as we try to have a serious and rational discussion about the best way to go about things. I have set out that we have "Scotland's Road Safety Framework to 2020", through which we are taking forward a suite of measures to tackle road safety issues. We will continue to pursue that approach with the funding that we are investing.

As an aside, on the issue of the "pitiful" amount that we are putting into active travel, I do not think that a doubling of the budget from £39 million to some £80 million reflects a Government that is not committed to the agenda.

I take exception when it is suggested that because I do not support the approach that is set out in the bill, I do not care about my children's safety when they walk to school, as anyone in the chamber would. I do care about it—but I want to ensure that we take appropriate measures to address such things.

It is also important that we challenge ourselves to think about whether there are other measures that we can pursue to address compliance and greater use of 20mph zones in the right locations.

As Edward Mountain said in his speech, the Rural Economy and Connectivity Committee recommends that the Government consider taking forward and exploring a number of things. One concerns traffic regulation orders and how they operate, at present. It has been highlighted by local authorities that they act as an inhibitor or barrier to their pursuing 20mph zones in their areas. That is for a variety of reasons, including the onerous nature of the consultation exercise

that has to be undertaken, and the associated costs, which are largely to do with the advertisements that must be placed in the local press to make the public aware of the matter.

We have been consulting local authorities—the survey results have been returned to us and are currently being analysed—to ascertain what action we can take to remove the inhibitors that have been identified, and to reduce the timeframe and make the system much more flexible and amenable for local authorities to use, when they think that it is appropriate to do so.

**Jamie Greene:** I appreciate the update from the Government on improving the TRO process.

Another issue that has come up a lot in the debate is the need to shift behaviour and culture in respect of how we drive around our towns and cities. What will the Government do to educate people so that they make the behavioural changes that are needed? This is not just about legislative and technical processes.

**Michael Matheson:** That is a key part of the road safety framework, which runs until next year and must be refreshed, so that we target resources at driver education programmes and other support, such as school initiatives to promote road safety and cycling safety initiatives. A variety of measures contribute to tackling the issue, and the framework sets out a range of measures.

I heard the statistics that Alison Johnstone mentioned. We should never think that even one death on our roads is acceptable. Our aspiration, which is in the framework, is for there to be no deaths and injuries on our roads. That is, and will remain, our focus as we seek to address the matter.

I talked about action that we are taking. There is extensive guidance and information in place for local authorities on developing 20mph zones. To encourage local authorities to do that, we are engaging with COSLA to consider how we can add to that guidance and encourage a much more strategic approach to introduction of 20mph zones in urban areas.

Clare Adamson described very well how such an approach can be taken when she talked about the work that North Lanarkshire Council undertook in 2001 on the twenty's plenty initiative. The council wanted to make the issue a priority and applied the approach consistently on the roads in its area on which it thought a 20mph limit was most appropriate. There is nothing to stop other local authorities doing that.

That is why, through our work with COSLA, I am determined to ensure that local authorities drive forward the approach much more consistently and

identify the residential areas in which 20mph limits could deliver the benefits that we know they can deliver, where it is right to do so.

The most comprehensive study into a sign-only 20mph approach was undertaken by the Department for Transport and published in November last year. It is worth recognising that that three-year study found that sign-only 20mph speed limits have little impact on actual vehicle speed. We cannot ignore that evidence.

If we are to tackle the issue, we have to be informed by evidence and we have to act in a way that delivers the change that people will expect from a change in the speed limit. If we do not do that, we will undermine the integrity of the speed limit process. As local authorities highlighted in evidence to the committee, if we do not get the speed limit process right, we bring it into disrepute. We should not think that a sign-only 20mph limit will address the issue.

I am conscious of the time. This is a complex issue, on which there are many strongly held views in the chamber. Every member shares an interest in making our communities safer—for ourselves and for our children. No one in the chamber holds the moral high ground on that.

The Government will continue to do everything it can to address road safety. We happen not to believe that the bill is the best way to go about doing that, but we will continue to take forward measures that we think will make a difference, and will make our communities safer for everyone who lives in Scotland.

16:50

**Mark Ruskell:** In closing the debate, it would be remiss of me not to thank the many people who have given me assistance in bringing the bill to stage 1. In particular, I would like to thank the non-Government bills unit, the Parliament's legal team, my researcher, Malachy Clarke, and the many members with whom I have had constructive conversations over the past two years, particularly John Mason, John Finnie and Claudia Beamish. I would also like to thank the 25 members who, by signing the original bill proposal, enabled the bill to get to this point, and the members and clerks of the Rural Economy and Connectivity Committee, which scrutinised the bill. In addition, I thank the many members who have offered many kind words to me this afternoon. I appreciate that.

Turning to the contributions, I think that one of the most disappointing things that I have heard in the debate is the myth that the bill is some kind of top-down, blanket, one-size-fits-all approach. It is not. That is a fundamental misunderstanding of what the bill is about. It is very disappointing to hear that; it is particularly disappointing to hear it

from Mr Rumbles, in whose office over the past two years I have explained to him what the bill is about. I am sorry, but I draw the conclusion that Mr Rumbles is an advocate for the motoring lobby first in this chamber, rather than child safety.

**Mike Rumbles** rose—

**Mark Ruskell:** Mr Rumbles would not take an intervention from me, and I need to make progress. If Mr Rumbles sees that comment as an insult, he can reflect on it.

**The Deputy Presiding Officer:** I say from the chair that I think that Mr Rumbles is entitled to an intervention, after what was said.

**Mark Ruskell:** Well, that is for me to decide, Presiding Officer.

**The Deputy Presiding Officer:** It is for you to decide. I ask you to think about that.

**Mark Ruskell:** I will take an intervention on that point, then.

**Mike Rumbles:** It is a point of order, Presiding Officer.

**The Deputy Presiding Officer:** Apologies. I had not heard that you wanted to make a point of order.

**Mike Rumbles:** I do not wish to intervene on Mr Ruskell, because he has cast a slur on my motivation. He implied that I am some sort of representative of the motor industry. I do not believe that that is consistent with the approach in our code of conduct, and I would like Mr Ruskell to withdraw that allegation.

**The Deputy Presiding Officer:** That is not a point of order, but Mr Rumbles has made his point, and I ask Mr Ruskell to reflect on what Mr Rumbles has said. Mr Rumbles can take whatever action is appropriate under the circumstances following this meeting.

**Mark Ruskell:** I am reflecting on it. I am reflecting on the fact that Mr Rumbles was using arguments that were put to the committee by the motoring lobby, which he is advocating, so I stand by my comments.

I want to get back to the debate. I would like to quote what the Society of Chief Officers of Transportation in Scotland said in its letter to the committee; to be honest, the chief officers of transportation know a little bit more about road signs and the roll-out of 20mph zones than Mr Rumbles does. SCOTS said:

“There appears to be a view expressed in the Report that such a default is not appropriate as it does not give local authorities the flexibility to devise 20mph limits that they consider appropriate for their areas. This is”—

**The Deputy Presiding Officer:** May I stop you there, Mr Ruskell? Can we have a bit of quiet,

please? I understand that members are wanting to discuss things, but this is not the appropriate time. They can be discussed when this meeting of Parliament has concluded.

**Mark Ruskell:** I will read out the quote again:

“There appears to be a view expressed in the Report that such a default is not appropriate as it does not give local authorities the flexibility to devise 20mph limits that they consider appropriate for their areas. This is not factually correct.”

The people who implement 20mph zones are saying that the approach in the bill is not a one-size-fits-all approach, that it is proportionate and that it would allow authorities to select those roads on which they wished to retain a 30mph limit—the arterial routes.

**Stewart Stevenson:** Will the member take an intervention?

**Mark Ruskell:** No, I need to make progress—members have intervened on me a number of times.

I am disappointed in the current cabinet secretary's view—this is the second cabinet secretary I have worked with on the bill. I hope that I am wrong, but it appears as though the Government is going into reverse on its own 20mph policy. The arguments that the cabinet secretary has made this afternoon go against the roll-out of 20mph that has taken place under Scottish Government guidance in Edinburgh, Clackmannanshire, and Glasgow; they also go against the advice of the Government's active travel task force. Those local authorities are rolling out sign-only 20mph speed limits and are not investing in infrastructure on every single road. Indeed, the cabinet secretary's guidance on 20mph moves away from infrastructure changes and putting in lumps and bumps whenever we want to create 20mph zones. I think that that makes a lot of sense, because we do not do that for roads with 30mph or 40mph speed limits—we do not create a design speed for every single road, because in order to—*[Interruption.]*

**The Deputy Presiding Officer:** Excuse me, again, Mr Ruskell. I ask everyone to please stop the rudeness that is happening during the debate. Mr Ruskell is quite softly spoken. I would like to hear him, and I think that everybody else should give some respect to the conclusion of the debate.

**Mark Ruskell:** Maybe I should raise my voice a bit, Presiding Officer, and we will get this debate going.

We do not design every single road in Scotland to the speed limit that is assigned to it—we rely on signage, other compliance measures and education. The cabinet secretary quotes the Department for Transport report. There is no

evidence that setting 20mph speed limits on roads undermines the speed limit compliance on surrounding faster roads. That is the opposite of the conclusion that the Department for Transport report came to. When it looked at the area-wide roll-out of 20mph in Brighton, it found that compliance went up on the surrounding faster A and B roads. Therefore, compliance in that regard simply is not an issue; there are misunderstandings here.

On costs, I think that John Mason made the very astute point that not every financial memorandum is 100 per cent accurate, and I take some criticism on that. However, I again state that I believe that the core, substantive costs in the bill are accurate. The figures were worked on with those who would be tasked with implementing the bill from the organisation that represents all the roads authorities.

The proposed measure would cost 0.75 per cent of the transport budget over two years. Once 20mph is rolled out nationally, we will get the benefits year after year after year—SCOTS has told me that the life of a road sign is 30 years. We will get five lives saved and a reduction of 750 casualties every single year.

This is not a matter of active travel interventions and investment competing against 20mph zones. The experience in Europe is that both are needed. The experience of European cities such as Copenhagen and Amsterdam is to set the speed limit at a sensible level—that is, 20mph—and to also invest in the infrastructure. To get the change in walking and cycling that we desperately need, we need to start by changing the speed limit.

Of course, the cheapest thing for local authorities to do is nothing. That would simply be unacceptable, but that is the problem that we have at the moment. We have a postcode lottery; we have local discretion. It is interesting to note that the cabinet secretary argues for national consistency when it comes to the Transport (Scotland) Bill and pavement parking, but there is no acknowledgement of our need for national consistency when it comes to 20mph speed limits, which is disappointing given that the Welsh Government has now adopted that principle and wants every single community in Wales to have 20mph speed limits. Whether they are rural or urban communities does not make any difference to the children and vulnerable road users living in those streets—they need that protection.

Jamie Greene asked what the answer is and what the alternative is to the bill. I do not have an answer to that. I have been engaging with the Scottish Government for the past two and a half years. The member says that he is happy to work with me on an alternative. I have been working with his Welsh Tory colleagues, who backed a

national default 20mph speed limit for Wales. Maybe Jamie Greene should get in touch with them—David Melding will tell him why that is the most effective approach and why we need to move towards it.

I do not know how much time I have got left, Presiding Officer. Do I have a couple of minutes? I had a lot of interventions.

**The Presiding Officer (Ken Macintosh):** You can take another minute or two if you wish, but I ask that you draw your remarks to a conclusion.

**Mark Ruskell:** Okay.

One alternative route that the cabinet secretary has put forward is to change the traffic regulation order process to make things simpler. Again, I point to the members of SCOTS, who are the people who would have to implement that measure. SCOTS says that simplifying the TRO procedure would be welcome but that the current procedure is

“not the fundamental cause of the low take up to date of 20mph speed limits”.

It goes on:

“We are therefore cautious on what actual difference any changes would make to a wider 20mph roll-out.”

The cabinet secretary can write as many letters as he likes to SCOTS and local authorities, but I fear that we will be back in the same place in the autumn and that local authorities will turn round and say, “Do you know what? The cheapest and most effective way to get national consistency is to have a national default of 20mph.” We will be back in the same place and I will be on my feet asking the same questions all over again.

Every child and every other person living on every street in Scotland deserves their freedom and their right to play, walk and cycle and to live without fear. Every country and city across Europe that values those rights and freedoms is setting a safer speed limit—a 20mph speed limit. This is Scotland’s moment to put our values first, to put lives first and to vote for safer streets for everyone.

## Wild Animals in Circuses (No 2) Bill

17:01

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of a legislative consent motion. I ask Mairi Gougeon to move motion S5M-17690, on the Wild Animals in Circuses (No 2) Bill, which is United Kingdom legislation.

*Motion moved,*

That the Parliament agrees that the relevant provisions of the Wild Animals in Circuses (No. 2) Bill, introduced in the House of Commons on 1 May 2019, relating to removing the current exemption for circuses from the Dangerous Wild Animals Act 1976, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.—  
[Mairi Gougeon]

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

## Point of Order

17:01

**Patrick Harvie (Glasgow) (Green):** On a point of order, Presiding Officer. I am sorry that I have not had a chance to give advance notice of this point of order, which is on two specific issues. First, under rule 7.2.4 of our standing orders, a member is allowed to give way to another member for an intervention. Could you confirm that no part of our standing orders requires a member to give way and nor should a member be instructed by the chair that another member is entitled to an intervention?

Secondly, will you remind the chamber once again of your regular requests that members who have taken part in a debate should be present for closing speeches, rather than walking out in the middle of a closing speech because they do not like the fact that they are being criticised?

**The Presiding Officer (Ken Macintosh):** I thank Mr Harvie for the point of order. I remind all members to treat each other with respect. That is an important point of order. All members should treat each other with respect.

I was watching the exchange that took place earlier and I heard the interventions. The Presiding Officer did not instruct the member to take an intervention. She suggested that, when a member names another member, it is good practice to take an intervention. I believe that Mr Ruskell responded appropriately and took an intervention at that point. I thought that the way in which the incident was handled was absolutely right. I could see that temperatures were running a little high at that stage. Members were discussing a contentious bill that people feel strongly about. However, I ask all members to reflect on the issue, to recognise that members care passionately about the matter and to treat each other the way they would like to be treated.

## Decision Time

17:03

**The Presiding Officer (Ken Macintosh):** The first question is, that motion S5M-17660, in the name of Mark Ruskell, on the Restricted Roads (20 mph Speed Limit) (Scotland) Bill, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

### For

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Dugdale, Kezia (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Glasgow) (Lab)  
 Lamont, Johann (Glasgow) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 McDonald, Mark (Aberdeen Donside) (Ind)  
 McNeill, Pauline (Glasgow) (Lab)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)

### Against

Crawford, Bruce (Stirling) (SNP)  
 Adam, George (Paisley) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Balfour, Jeremy (Lothian) (Con)  
 Ballantyne, Michelle (South Scotland) (Con)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bowman, Bill (North East Scotland) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Corry, Maurice (West Scotland) (Con)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)

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)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harris, Alison (Central Scotland) (SNP)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Kerr, Liam (North East Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (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, Tom (North East Scotland) (Con)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 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)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 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)  
 Whittle, Brian (South Scotland) (Con)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

### Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)

**The Presiding Officer:** The result of the division is: For 26, Against 83, Abstentions 4.

*Motion disagreed to.*



**The Presiding Officer:** The next question is, that motion S5M-17690, in the name of Mairi Gougeon, on the Wild Animals in Circuses (No 2) Bill, be agreed to.

*Motion agreed to,*

That the Parliament agrees that the relevant provisions of the Wild Animals in Circuses (No. 2) Bill, introduced in the House of Commons on 1 May 2019, relating to removing the current exemption for circuses from the Dangerous Wild Animals Act 1976, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

*Meeting closed at 17:04.*



This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

---

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

---

All documents are available on  
the Scottish Parliament website at:

[www.parliament.scot](http://www.parliament.scot)

Information on non-endorsed print suppliers  
is available here:

[www.parliament.scot/documents](http://www.parliament.scot/documents)

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: [sp.info@parliament.scot](mailto:sp.info@parliament.scot)

---



The Scottish Parliament  
Pàrlamaid na h-Alba