



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament (Hybrid)

Wednesday 30 December 2020

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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Scottish Parliament

Wednesday 30 December 2020

[The Presiding Officer opened the meeting at
13:30]

Business Motion

The Presiding Officer (Ken Macintosh): Good afternoon, colleagues, and welcome to this specially recalled meeting of the Parliament. The first item of business, before the substantive item, is consideration of business motion S5M-23816, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on the suspension of standing orders.

Motion moved,

That the Parliament agrees that, for the purposes of consideration of the legislative consent memorandum on the European Union (Future Relationship) Bill, Rules 9B.3.5 and 9B.3.6 of the Standing Orders be suspended.—
[Graeme Dey]

Motion agreed to.

Trade and Co-operation Agreement between the United Kingdom and the European Union

The Presiding Officer (Ken Macintosh): Our debate is on motion S5M-23815, in the name of the First Minister, Nicola Sturgeon, on the trade and co-operation agreement between the United Kingdom and the European Union.

13:31

The First Minister (Nicola Sturgeon): Today, the Scottish National Party and, I hope, the Parliament, will vote on principle. We will vote against a rotten Brexit that Scotland has rejected all along, and we will say no to a hard Brexit deal that damages our economy, our society and the opportunities of this and future generations.

I will say more on that shortly. First, let me issue a challenge to Tory members of the Scottish Parliament who say that we should back this deal. If they support this deal, they should set out for us today, in clear and simple terms, what the benefits of it to Scotland actually are, and they should then tell us how it comes even close to honouring Scotland's choices. My prediction is that the Tories will do none of that today because, quite simply, they cannot. Far from respecting Scotland's democratic wishes, this deal rides roughshod over them. Compared with European Union membership, it has no benefits, only massive downsides—and, to the eternal shame of the Tories, it even betrays wholesale the promises that were made to Scotland's fishermen.

What we will hear from the Tories, who are bereft of any positive case, is desperate, diversionary nonsense. They will say that we have to back this deal not because it is any good but because the alternative is worse. That, frankly, is an insult to Scotland's intelligence. It is legally suspect, for a start. More to the point, as we will see very shortly, this deal will pass regardless of how Scotland's MPs vote, because that is what the Westminster establishment has decided.

The fact is that Scotland's voice has been ignored on Brexit all along, every single step of the way, but the real disgrace of the Tory position is the notion that lies at the heart of it—that the best that Scotland can ever hope for is a choice between a terrible outcome and an even worse outcome. Well, the bad news for the Tories is that, just like Brexit itself, that is a notion that people in Scotland are increasingly rejecting. More and more people are realising that we can do better. We do not have to accept whatever dismal future

the Tories decide to foist upon us; we can choose our own future instead.

Mike Rumbles (North East Scotland) (LD): Will the First Minister give way?

The First Minister: I say to Mr Rumbles that it is time for Scotland to get the best possible deal, and that is a future as an independent European nation.

Mike Rumbles: Like the First Minister, I believe that we, in Scotland, will be the poorer for ending a political and economic union of some 48 years—*[Interruption.]* Well, we will be the poorer for it—do Tory members not realise that? However, cannot the First Minister see that the very same arguments that she uses stand for our not ending a 300-year-old political and economic union?

The First Minister: The European Union is made up of independent nations.

The Liberal position is this: they know how damaging and devastating Brexit is for Scotland, but they think that we should just put up with it rather than choose a better future for ourselves. We have no truck with that. Scotland can and should aspire to be an equal independent country, and that is what Scotland is on the path to becoming.

Sixty-two per cent of people in Scotland voted to stay in the European Union. In not one but two subsequent United Kingdom general elections, pro-EU parties got an overwhelming majority of votes in Scotland. Those votes reflect the economic and practical benefits that EU membership has brought to our country, but they also reflect something more fundamental: by and large, and for all its imperfections, people in Scotland support what the EU represents. Its fundamental principle that independent nations should share sovereignty for the common good is one that most people support. Its values—of democracy, equality, solidarity, the rule of law, and respect for human rights—are ones that we share.

Throughout the whole Brexit process, we have all seen—and I suspect that most people will long remember—the stark contrast between the EU’s solidarity with Ireland and the UK Government’s utter contempt for Scotland and her people.

The fact is that no Brexit settlement would ever fulfil the wishes of people in Scotland. However, there were outcomes that would have protected our interests better than this one. Back in December 2016, the Scottish Government published a plan for compromise. We recognised, reluctantly, that the UK would leave the EU, and we proposed staying in the single market and customs union. It was the obvious compromise position, but the UK Government dismissed it out of hand. It disregarded Scotland’s views, values

and interests, and it has now agreed a deal that is disastrous for Scotland and that puts barriers in the way of Scotland’s exports.

The Tories are trumpeting—pun intended—the fact that the deal delivers zero tariffs, as if we are all meant to suddenly forget that there were already no tariffs. However, to avoid tariffs in the future, businesses will now need to meet a whole host of complex regulatory requirements. The estimated cost of all that to business in the UK is £7 billion every year. Service providers could now face different restrictions in each EU country. The finance sector—almost 10 per cent of Scotland’s economy—is still completely in the dark about what will replace the all-important passport.

Ordinary people will pay a price even for simple family holidays through, for example, new health insurance requirements, roaming charges for mobile phones and more time-consuming queues at airports. There are consequences, too, for our justice system. Our police will no longer have real-time immediate access to alerts from EU partners on wanted or missing persons.

As well as making us less safe, this deal also makes us less free. The right to work, study and live across an entire continent is being taken away. It will also be far more difficult for us to attract workers from other EU countries. One of our key challenges as a country—our ageing and, potentially, shrinking population—has just been made even worse.

Those costs and harms—for that is what they are—are real, and they will start taking effect in just two days’ time. They will cost jobs and they will reduce prosperity in Scotland. The benefits—

Dean Lockhart (Mid Scotland and Fife) (Con): Will the First Minister give way?

The First Minister: Perhaps I will get some of the benefits in a moment.

Dean Lockhart: From tomorrow, we will be able to enter into free trade agreements with countries across the rest of the world. Over the past 15 years, the Scottish National Party has voted against every free trade agreement that it has voted on, including free trade agreements with Singapore, Canada and Japan. If the First Minister is so concerned about free trade, why did the SNP vote against all those free trade agreements?

The First Minister: None of those free trade agreements will make up for the loss of our membership of the world’s biggest single market, which we will get ripped out of—against our will—in two days’ time. Dean Lockhart has helpfully demonstrated that the benefits we will get in return for all this harm being imposed on us are pretty much non-existent.

Even fishing—the one sector that expected benefits from Brexit—has been comprehensively let down. The Tory fishing promises were never deliverable—as many of us pointed out—but they were made, and the industry had a right to rely on them. Every single one of them has been broken. Douglas Ross, Alister Jack and every Scottish Tory MP said, in writing, that the UK and Scotland must have

“complete control and full sovereignty over British waters”.

They said that “tying” fisheries access “to a trade deal” was a red line that must not be crossed. If it was, they said, the UK would be leaving the common fisheries policy “in name only”, which would be—in their words, not mine—a “betrayal” of Scotland.

That betrayal is there for all to see in this deal. There is a long-term arrangement guaranteeing EU boats access to UK waters; access and quota shares are included in the future economic partnership; and access to waters is not just tied to the overall trade deal but hardwired into it. Every Tory promise to Scotland’s fishermen has been broken, and every Tory red line has been crossed. However, it is even worse than that—

Liam Kerr (North East Scotland) (Con) rose—

The First Minister: No. It is better that the Tories listen to the reality of their sell-out of fishing.

When it comes to the key white fish stocks that so much of the Scottish fishing industry depends on, there will be fewer fishing opportunities for Scotland under this deal than under the common fisheries policy.

This must be the worst negotiation outcome in history: a hard Brexit for Scotland and a comprehensive sell-out of the Scottish fishing industry. That is why the verdicts of fishermen are so damning. The National Federation of Fishermen’s Organisations said that “fishing has been sacrificed”, and the Scottish White Fish Producers Association is “deeply aggrieved”. The Scottish Fishermen’s Federation said that

“the deal does not restore sovereign UK control over fisheries”

and that the UK is

“now a coastal state with one hand tied behind our back”.

The words are utterly damning but utterly justified.

The fishing industry has been misled and sold out by the Tories all over again. It was betrayed by the Tories on the way into the EU and it has been betrayed by them on the way out. That is part of a pattern. Not long ago, Ruth Davidson made it known that she would resign rather than support a differential deal for Northern Ireland. It is amazing what the offer of a place in the House of Lords can

do to the merest whiff of a Ruth Davidson principle. I am not sure whether Adam Tomkins is in the chamber, but he went even further than that. He said:

“No unionist could ever endorse”

any sort of “differentiated deal” for Northern Ireland. However, that is what this deal delivers: a hard Brexit for Scotland and a special single market deal for Northern Ireland.

The Tories are even dragging us out of Erasmus, which is a truly wonderful, horizon-expanding scheme that gives young people opportunities to live and study in Europe. Again, the Scottish Tories told us that that would not happen. In the words of Jackson Carlaw,

“Erasmus+ is something which all parties agree must continue post Brexit.”

However, the UK Government has now turned its back on Erasmus and has sold out our young people, and there has not been a peep from Jackson Carlaw. I can only assume that his ermine cloak is in the post.

It is now clear that the Scottish Tories are ignored by their Westminster bosses—just as Scotland as a whole is ignored—and that they lack the gumption or self-respect to do anything about it. They are Boris Johnson’s mouthpiece. They will abandon any principle, break any promise and sell out any sector if Westminster and Boris Johnson tell them to do so. Today is conclusive proof of that. In contrast, we, in the SNP, will stick by our principles, values and beliefs. Most important, we will stick by the people of Scotland, who have opposed Brexit at every turn. We will not play the Westminster game. We refuse to be complicit in a Boris Johnson-imposed democratic, social and economic calamity for Scotland.

The people of Scotland have been ignored throughout the whole fiasco. Our views have been disregarded and our Parliament has been treated with contempt. For Scotland, we now know beyond doubt that the Westminster system is broken beyond repair. We deserve better than a dismal choice between a terrible deal and no deal. We deserve the right to choose the best deal of all: a future as an independent European country. It is only through independence that we will ever get to choose the future that we want. Independence—that is the deal that many people in Scotland now want. We will have the right to choose it.

I move,

That the Parliament notes the legislative consent memorandum on the European Union (Future Relationship) Bill lodged by the Scottish Government on 29 December 2020; considers that, while a no deal outcome must be avoided, the Future Relationship Agreements negotiated by the UK Government would cause severe damage to

Scotland's environmental, economic and social interests; regrets that, unless the UK Government follows the EU approach of provisional ratification, the European Union (Future Relationship) Bill will receive severely limited scrutiny in the UK Parliament, with very little time given to parliamentarians in the UK Parliament and devolved legislatures across the UK, failing to recognise the significance of the agreement and failing to respect the important role of the Scottish Parliament in scrutinising legislation requiring its legislative consent; therefore does not consent to the European Union (Future Relationship) Bill, and calls on the UK Government to seek a pause in current implementation while special arrangements are made to take account of these difficulties for Scotland and for the many others that will become apparent as the Bill is more fully considered.

13:44

Ruth Davidson (Edinburgh Central) (Con): I quote:

"This week's vote is NOT about 'EU membership'. The United Kingdom hasn't been a member of the EU since 31 January. We've already left and there's no going back ... The only options on the table are the deal or no deal, and if you vote against the first one then you're inescapably voting for the second one, and all but the very dimmest, blindest SNP loyalists can see that."

In 10 years as an MSP, I do not think that I have ever quoted Wings Over Scotland; I am not sure which of us will be more surprised that I have now done so.

However, that quotation is a pretty succinct summation of where we are. Today's debate is not about overturning the referendum, refighting the arguments of the past or arguing for some mythical other deal that is just over the next hill. Furthermore, the facts are not dependent on which way we voted. Whether we voted to leave or to remain, it is indisputably true that we ceased to be a member of the European Union 11 months ago and that the transition period that was put in place will end, by law, tomorrow.

Those are the facts on the ground—they are the realities against which today's debate is taking place and they are the backdrop against which a legislative consent motion is being requested.

Those facts also provide the context within which the Scottish National Party's contortions over the past 48 hours need to be judged, because it would have us all believe that this is a matter of principle for it and that it is acting only in Scotland's interests. However, the truth is the exact opposite. The SNP is acting in its own narrow nationalist self-interest by voting today against the very thing that it has spent months demanding be delivered—an EU trade deal.

A trade deal, which the SNP demanded, is on the table. It has been negotiated by the UK and the EU, it is supported by the Presidents of the European Commission and the European Council, and it has been formally approved by the EU

ambassadors. It will come into effect only if it is passed by the Parliament on these shores. If the deal is not voted for, the UK will leave without a deal, because there is no other option.

Therefore, let us see what Nicola Sturgeon thinks of no deal. She has said that

"Leaving the European Union with No Deal would be devastating for the Scottish economy"

and that if there is not a deal and

"it looks like the UK could leave without a deal, that would be catastrophic ... no deal should simply not be allowed to happen".

She has said that

"the ... Prime Minister, has set the UK on an almost inevitable path to a No Deal Brexit",

and that "The position" that has been

"taken makes it very difficult to see how any deal can be struck with the EU and I think that would be catastrophic for Scotland".

The First Minister: Will the member give way?

Ruth Davidson: I will wait until I have finished reading out quotations from this Nicola Sturgeon before I hear from that Nicola Sturgeon. Give me a moment.

Nicola Sturgeon has said that the Prime Minister is

"In reality ... really pursuing a no deal Brexit"

and that she thinks that

"that is extremely dangerous for Scotland, indeed for the whole of the UK. We know from the work we've done the impact that would have on jobs, on the economy, on our universities and on almost every aspect of society in Scotland. I think it is incumbent on all of us who think that that is the wrong outcome to do everything we possibly can to block it".

She has said that

"I, @scotgov and @theSNP will work with others to do everything we can to block his plan for a no-deal Brexit—which would do catastrophic harm to Scotland."

Finally, on Christmas eve—less than a week ago—she said that

"A deal is better than no deal."

On you go, First Minister.

The First Minister: First, it is no wonder that the President of the European Commission backs the deal, because the EU has got everything that it wanted out of it. Secondly, no deal is not on the table today, as we shall find out shortly.

However, in case Ruth Davidson is going to forget to talk about fishing, I wonder whether she can tell us how the situation that I am about to mention came about. Mike Park, the chief executive of the Scottish White Fish Producers Association said:

“the deal we’ve been dealt gives us less fish than it did before.”

Can Ruth Davidson, having made so many promises to our fishermen, explain to us how, exactly, that came about?

Ruth Davidson: Not only will Scotland’s fishing fleet get more fish over time, as we become an independent coastal state, but we also get access to market for our fish processors, which is exactly what the First Minister asked for.

The First Minister: Will the member give way?

Ruth Davidson: I will not, on this.

Let us be clear. the First Minister is voting for no deal, and let us be clear what voting against the deal would do.

The First Minister: Will the member give way?

Ruth Davidson: The First Minister wanted answers on what voting against the deal would do for the UK, so I am giving them.

To vote against the deal is to vote against zero tariffs, against deep security intelligence co-operation—which has never before been offered by the EU in such an agreement—and against participation in science, research and space programmes. It is to vote against agreements for airlines and hauliers, against securing of access to market for our fishermen for their products, and against recognition for geographical indicators including Scotch whisky, Stornoway black pudding and Arbroath smokies. If the First Minister can tell us why she hates Arbroath smokies so much, she can go right ahead. Why do you hate the smokies?

The First Minister: First, I note that every single thing that Ruth Davidson has just listed we already had as a member of the European Union. What of all that we are losing in a worse deal, in order to retain just some of it?

Ruth Davidson did not respond to my question. She said that fishermen have more fish now. I quoted the chief executive of the Scottish White Fish Producers Association, who said that

“the deal we’ve been dealt gives us less fish than ... before.”

She still has not explained how that could possibly have come about as the result of negotiations that were conducted by a Tory party that promised the world to our fishermen. Will she do so now?

Ruth Davidson: The fishing fleet will build up. We have five years to build up our fishing fleet as we become an independent coastal state, and, crucially, as the fleet has access to market.

The First Minister has not answered the point that the debate is not about being in or out of the EU. We are voting today on whether there is a

deal or no deal, and she is marching her troops into the no-deal voting lobby and giving up all that.

However, let us listen to other third parties. The reaction of Scottish businesses to the deal is positive. Of course, that counts for nothing with an SNP that is determined to grandstand and politic, as we have just seen. The Federation of Small Businesses has said:

“it’s a huge relief to see negotiators finally strike a deal.”

The Confederation of British Industry has said that it is

“A huge relief for both the UK & EU economies”,

and the NFU Scotland has said that

“It is good news ... that a deal has been done ... No deal would have been no good to Scottish farming”.

Tavish Scott, formerly of this parish, now of the Scottish Salmon Producers Organisation, has said:

“We are pleased the negotiators have at last secured a deal. This will alleviate some of the serious problems that would come from a ‘no deal’ Brexit.”

All of Scotland’s main business groups say that we should back the deal in order to protect jobs and our national prosperity. However, the SNP Government says, “No—we will vote against it anyway.” The feckless and useless SNP tribute act that is Scottish Labour will fall in behind it, even as Keir Starmer does the right thing.

How did we get here, given that Nicola Sturgeon said that she, her party and her Government would do anything, and work with anyone, in order to get a deal? Now that a deal has been presented that has been backed by the EU and by Scotland’s businesses, and which will stop the no deal that she says she wants to avoid at all costs, what does she do? She orders her troops into the Westminster division lobbies, carrying the “No-deal Nicola” banners high.

Throughout this entire process, when it has come to the big calls, the SNP has asked one question of itself. It has not been to ask what can be practically delivered, but to ask how Brexit can be used to crank up grievance and to promote the only thing that Nicola Sturgeon has ever cared about—independence. The SNP has gone from backing an election that would deliver a pro-Brexit majority while driving a “Stop Brexit” bus, and from striking down three times a withdrawal agreement that would have delivered many of the provisions that its members claim to want, then howling as that turned them into the handmaidens of something with no such provision, to talking up the catastrophe of no deal and even trying to pass a law to ban it and, today, trooping into the lobbies to vote for no deal.

That is because never once did SNP members think about practical delivery, Rather, they were always focused solely on their own narrow political game playing. The truth is that for SNP members it was never really about the substance of leaving the European Union. They do not want to go there; after all, the party espouses the idea that separation from one union is a betrayal, but separation from another, which is deeper and more valuable, is a necessity. It has always been solely about weaponising the referendum result, in order to widen the divisions on which it thrives.

Today, SNP members had the chance to show that they were prepared to change course and to accept the indisputable facts that the UK left the EU on 31 January and that tomorrow we leave the transitional arrangement. Today, they had the chance to do the responsible thing—to help to lay a firm foundation for our new relationship with the EU. Instead, they are trying to take a sledgehammer to it—to scupper the only deal in town, which was carefully negotiated with the EU, unanimously approved by the ambassadors of all 27 EU member states, and signed this morning by the Presidents of the European Commission and the European Council. The SNP's calculation is this: crank up the outrage, the grievance and the division, and hang the consequences.

At the start of this month, Nicola Sturgeon said:

"I very much hope we will see breakthroughs in these talks literally over the course of today ... I think the UK Government has to 'get real' and really understand the implications for the NHS and across the economy if ... no deal"

is "agreed." The First Minister needs to "get real" if she thinks that she can stoke up grievance over no deal, and then march her troops into the lobbies today to vote for it without people seeing that for exactly what it is. Once again, the SNP's own political game is coming first. Hypocrisy? You could not mark Nicola Sturgeon's neck with a blowtorch.

I move amendment S5M-23815.2, to leave out from "considers" to end and insert:

"recognises that the UK left the EU on 31 January 2020; congratulates both the EU and UK negotiating teams on securing the landmark Trade and Cooperation Agreement in a constrained timeframe; notes that the deal helps secure £660 billion of Scottish and UK trade to support Scottish jobs and businesses; recognises that the First Minister has described an exit from the EU without such an agreement as 'catastrophic' for Scotland; notes that the only way to avoid such a no-deal outcome is to support the deal that has been agreed; welcomes the fact that all 27 EU member states have unanimously approved the deal, and therefore consents to the European Union (Future Relationship) Bill negotiated between the EU and the UK Government."

13:54

Richard Leonard (Central Scotland) (Lab): I will be clear at the outset: the European Union (Future Relationship) Bill is a bad deal for Scotland, and I think that not even many of the people who voted leave on 23 June 2016 voted for this. Even on the Brexiteers' own terms, under this agreement, people will not take back control; they will lose it. It does not mean more democracy, or more transparency, but less.

Boris Johnson promised that the UK will "prosper mightily", even with a no-deal Brexit, but the stark assessment of the Government that he leads flatly contradicts that. His Government now says that national income per head will be 5 per cent lower than it would have been had we remained in the EU and that we will be poorer. That is what the Johnson Government itself estimates, and that is an average. The distribution of that drop in income will not be evenly spread. I claim no special insight, but I predict that it will be the poorest who will be hit the hardest. I hope that I am wrong, but that is what experience teaches us.

For businesses and workers—even entire industries—in just over a day's time there will be new barriers, new frictions, bundles of new paperwork and new costs that will be damaging. It is a measure of the irresponsibility of the Johnson Government that it is prepared to leave businesses and working people barely a week to adjust to those significant complexities and new arrangements. A week! That is irresponsible government under any circumstances, but in the circumstances of the biggest economic recession for 300 years and in the middle of an economic shock and rising unemployment caused by a global pandemic it is an abdication of responsibility without modern parallel.

Liz Smith (Mid Scotland and Fife) (Con): Can Mr Leonard explain the difference in approach between Scottish Labour and Mr Keir Starmer, who was clear this morning that the choice on the table today is deal or no deal? Can he tell us why Labour has two such different approaches?

Richard Leonard: There is not such a difference. The proposition before us in this Parliament is different from the proposition in front of MPs in Westminster. I will say a bit more about that shortly.

It is because of the economic shock of the proposed change that we ask in our amendment that the Scottish Government urgently and immediately applies the Barnett consequential funding that it has not allocated to businesses so far. We are still dealing with uncertainty and, therefore, fear. When I speak, as I do, to union representatives in factories such as Alexander

Dennis in Falkirk, I find that they do not know yet how they will be affected by the rules of origin requirements announced last week and whether tariffs will be triggered. That is a sign of the scale of the economic, political and democratic crisis that we are dealing with. There was no co-production here, no engagement with industry and certainly no engagement with trade unions.

What is ironic is that one of the great criticisms of the European Union is that it lacks transparency and its democracy is diffuse and flawed. However, in place of the European Court of Justice that meets in public will be a dispute and arbitration council that will meet in private. The terms of our leaving the EU—and therefore the terms of the most important treaty entered into in 50 years—are being rushed through with the force of Crown prerogative, crushing debate and guillotining democratic scrutiny. It is a democratic outrage.

The motion before this Parliament rightly says that a no-deal outcome “must be avoided” at all costs, so I have to say this: to vote against the proposition at Westminster today is to risk the chaos and damage of a no-deal outcome. When SNP MPs vote against the proposition today, they cannot say, “That wasn’t what we meant”, because that is what will happen. Labour MPs will reluctantly vote for the deal, because the alternative would be chaos.

There is no reason why even an initial ratification could not be subject to the scrutiny that it merits in both our parliamentary democracy—including this Parliament, the Welsh Senedd and the Northern Ireland Assembly—and outside in the country. There are other things that concern me and that ought to concern us all. For example, fewer than one in five large businesses in Scotland is Scottish owned and 82 per cent are not. Over half of all businesses’ turnover in Scotland is now generated by businesses that have their ultimate base outside Scotland. Over a third of all workers are employed in those firms—that is nearly 700,000 jobs.

Ruth Davidson: If the member wants to talk about the voice of business in Scotland, the head of the CBI in Scotland has said:

“A negotiated deal between the UK and the EU brings with it a slew of immediate benefits. For starters, it will protect jobs under pressure from the pandemic via duty and quota-free trade ... In short, the size of the prize is real. Ending years of division and delay by securing an agreement with the EU will help our economy during the biggest challenge of our generation.”

Does the member accept that, and what on earth is his party playing at in the Scottish Parliament when his colleagues down south are, at least, doing the responsible thing?

Richard Leonard: We are not playing at anything. We are making a serious intervention in

an important democratic debate, one that is about the future of devolution, of the Scottish economy and of people’s jobs and livelihoods.

Our exposure to internal investment and therefore to potential internal disinvestment is much higher than that faced by other parts of the UK. The treaty, which the Conservative party supports, guarantees freedom of movement for capital but does not guarantee that for people. When it comes to people, the treaty uses words such as “temporary”, “business visitors” and “independent professionals”. That is an abrupt end to the opportunity for people to live and work across the continent.

Erasmus is gone, ending opportunities for students to work and study across the continent. The commitments on labour and on environmental standards are weak—considerably weaker than the optimists expected.

We will support the motion, just as we hope that others will back our amendment. Our priority is to deal with the economic shocks, not to detonate more as the SNP intends. Our priority is to deal with the national emergency before us, in a spirit of co-operation and renewed determination, and to seek to repatriate powers from Europe to this Parliament, such as those on employment law, health and safety and public procurement. That is the best way to defend democracy and to stand up for Scotland.

I move amendment S5M-23815.3, to insert at end:

“; urges the Scottish Government to provide further mitigation to businesses and sectors impacted by this Agreement and the COVID-19 pandemic, and calls on the UK and Scottish governments to work together to ensure that the current rights of workers, and Erasmus, are protected and that the highest environmental standards are upheld.”

The Presiding Officer: Now that the motion and the two amendments have been moved, I call Joan McAlpine to speak on behalf of the Culture, Tourism, Europe and External Affairs Committee before we move to the other opening speakers.

14:02

Joan McAlpine (South Scotland) (SNP): The Culture, Tourism, Europe and External Affairs Committee has scrutinised Brexit and its implications since 2016. We have listened to thousands of hours of oral evidence and received tens of thousands of pages of written evidence from concerned stakeholders. I thank all those who have provided evidence, the members of the committee and our clerks and advisers for their hard work over the years.

The process that began in 2016 reached a culmination of sorts with the trade and co-

operation agreement of 24 December and the European Union (Future Relationship) Bill that is passing through Westminster today. According to that bill's explanatory notes, 24 of its 36 clauses engage the legislative competence of the Scottish Parliament. Our committee is required to report on the bill and on the legislative consent memorandum that the Scottish Government has produced. We have now done so and our written response, published in the past hour, recommends that the Scottish Parliament does not give the bill legislative consent. I will outline the reasons for that recommendation.

The committee has had little time for scrutiny of the bill or of the LCM. We took evidence this morning from the Cabinet Secretary for Constitution, Europe and External Affairs. We requested that the Chancellor of the Duchy of Lancaster, the Rt Hon Michael Gove MP, give evidence to the committee on behalf of the UK Government, but his office said that that was not possible.

However, nine days ago, the committee published a report entitled "EU-UK Government Future Relationship Negotiations: The Impact of the End of the Transition Period". That work has helped to inform our written response, which was made in the past hour with only the two Conservative members of the committee dissenting from the report.

I thank our two advisers: Dr Anna Jerzewska, a globally recognised customs and international trade adviser, and Dr Fabian Zuleeg, chief executive and chief economist at the European Policy Centre. Their expertise and insight have been invaluable.

The committee believes that the timescales for consideration of the bill are unacceptable. To have less than a week to scrutinise the implications of the 24 December agreement, and less than a day to consider the UK bill and the content of a legislative consent memorandum, is clearly inadequate. That timetable exhibits disregard for parliamentary scrutiny and for the role of all legislatures across the UK. I note that the European Parliament refuses to be treated in that way and will not begin its scrutiny of the agreement until January.

The agreement is unique. It is the first modern trade deal to disintegrate a trading partnership and to erect barriers between markets. All other modern trade agreements seek to strengthen partnerships and to dismantle barriers. Zero-tariff and zero-quota trade is not the same as seamless or frictionless trade. Leaving the single market and customs union means that very significant non-tariff barriers will affect exporters on 1 January, in just two days' time.

The new relationship between the EU and the UK will involve the reintroduction of customs procedures, border checks, and sanitary and phytosanitary checks. Individuals who wish to work in EU countries will be affected, while the mutual recognition of professional qualifications will effectively end. Even the removal of tariffs and quotas on goods is conditional on matters such as rules of origin regulations. That will have a significant impact on supply chains. The agreement does not address the delays, congestion and bottlenecks that we see already at our ports.

The agreement does not cover services, which account for 80 per cent of the UK's gross domestic product and 40 per cent of UK exports to the EU. That includes financial services, which are a key sector of Scotland's economy. The UK and the EU hope to reach a memorandum of understanding by March to recognise each other's rules on financial regulation—a process known as equivalence. However, equivalence decisions that are granted by the EU can be withdrawn at short notice, as Switzerland has discovered.

This is a thin agreement, as many aspects of trade and co-operation have still to be negotiated and agreed. The committee believes that it will

"result in a significantly negative economic impact to both the Scottish and UK economy".

The committee is also concerned about the governance framework for overseeing the implementation of the agreement. It will be headed by a partnership council, which will be co-chaired by a representative from the European Commission and a UK Government minister. Nineteen specialised committees and four working groups will deal with specific aspects of the EU-UK trading relationship. The committee notes that some of the subject matter that will be considered in the governance framework concerns devolved competences, such as justice and fisheries. We are unaware of any provision for the Scottish Government to participate in the governance framework. We therefore recommend that the Scottish Government, at ministerial and official level as appropriate, should be present at meetings that deal with devolved policy areas.

The governance framework will also establish a parliamentary partnership assembly consisting of members from European and UK Parliaments. The committee recommends that the Scottish Parliament be represented in that assembly.

The committee notes that the UK will be a third country with regard to law enforcement and judicial co-operation. We are very concerned that the UK will not be able to participate in the European arrest warrant scheme or the Schengen information scheme.

It is a matter of deep regret that the UK will no longer participate in the Erasmus+ programme. In 2018, the committee conducted an inquiry into Erasmus+, which found that Scotland benefited significantly from participation in it. In particular, the committee found that young people from disadvantaged backgrounds found that the scheme opened doors and transformed their life chances. We found that it was much more than a university exchange programme, as it benefited young people who were in further education and apprenticeships and who were involved in youth work and volunteering. We therefore recommend that the Scottish Government explore all possible avenues to enable young people in Scotland to continue to participate in Erasmus+, and that the UK Government reconsider its rejection of the programme.

In its inquiry into the future relationship negotiations, the committee took evidence from members of the Scottish fisheries sector, who were told repeatedly by the UK Government that Brexit would result in them having a significant increase in their quotas and complete control of their waters. Whether or not we consider that expectation to have been realistic, it is what they were promised and the agreement falls far short of those promises. The committee is aware of the concern that is being expressed by fishing stakeholders and of analysis that suggests that Scottish fishermen will have their quotas of certain species reduced. We would welcome further analysis of that matter.

The Culture, Tourism Europe and External Affairs Committee—with the exception of our two Conservative members—believes that the European Union (Future Relationship) Bill will have significant negative consequences for the economy, society and culture of Scotland. The time that has been given to this Parliament to scrutinise the agreement and the bill is completely inadequate. The committee therefore recommends that the Scottish Parliament does not provide legislative consent to the European Union (Future Relationship) Bill.

14:09

Patrick Harvie (Glasgow) (Green): This is a day of broken promises—but it could never have been anything else. UK voters were promised all the benefits of EU membership and none of the costs. Today, we see xenophobic British nationalists cheering as new barriers of bureaucracy are erected; as hard-won standards that protect us at work, in what we eat and even in the air that we breathe are put at risk; and as our family of nations is presented as rivals at a time when the world needs international co-operation more than ever.

However, in many ways, it is something that Brexiteers campaigned for and delivered that pains me the most: the end of free movement. That was the issue that many on the leave side were most motivated by, but, of course, the referendum itself gave no mandate for it. If the UK Government had wanted a referendum about how much it hates immigration, it should have printed that question on the ballot papers; it did not.

Of course, the politicians, their wealthy donors, the tax dodgers and the media owners who brought about the Brexit project will not lose their freedom of movement—they are just taking it away from those without their privileges. That loss is the greatest tragedy. Century after century, generation after generation of young people from the countries of Europe were marched by their Governments into fields and ditches to slaughter one another. In the past few decades, we have built institutions that give them a different future and the ability to choose for themselves where to travel to and where to live, work, study, learn and make a life. It tears my heart out to see that fantastic opportunity being taken away from the next generation. It is a fundamental failure to recognise Europe's historic purpose as a peace project.

It is ironic that the Conservative amendment is in the name of Ruth Davidson, who clearly, given her speech, believes that others should be held to their words. It was Ruth Davidson who, before the 2014 referendum, told me that I was being disingenuous for saying that voting no would put our place in Europe at risk. It was Ruth Davidson who, before the 2016 referendum, positioned herself as the challenger to everything that Boris Johnson stood for. It was Ruth Davidson who, after the Brexit vote, said that we should absolutely stay in the single market. It is Ruth Davidson who has now accepted a peerage from that same hard-right populist Boris Johnson so that she never needs to face democratic accountability again.

We should all be conscious of the undoubted social, economic and political harm that the deal will do. It is worth noting that the Labour amendment acknowledges that the deal that Labour MPs are backing at Westminster does harm that will need to be mitigated. Does Scottish Labour really think that, in the words of Richard Leonard's amendment, the UK Conservative Government will step up and start to work with us on workers' rights or on environmental standards, when the Scottish Conservatives are voting against legislation here to do just that, or that the UK Government will U-turn on its perverse and vindictive decision to withdraw from Erasmus? I do not think so.

If Labour MPs back the deal at Westminster, I think that it is clear that they will accept responsibility for it. However, if the Scottish Labour Party thinks that its amendment helps to cover their confused position somehow, I will not oppose it.

We have all witnessed the Prime Minister's deliberate—I think that it is deliberate—dancing on the edge of a cliff. We have now seen an agreement with no scrutiny announced, and a bill published on the same day as the legislative consent memorandum is debated here, with the UK Government absolutely certain to ignore the decision that we make in this Parliament. That is a pathetic parody of scrutiny, but that, of course, is how the take-back-control mob like to operate.

I understand why some people just want all this to be over. In reality, the self-inflicted wound of Brexit will not stop getting worse just because the agreement is signed or put into law. The economic, social, environmental and political harm will continue.

To some people, today marks the end of their long campaign of British exceptionalism, xenophobia, anti-immigrant rhetoric and free market deregulation extremism. To some people, it might feel like the end of a period of extraordinary chaos, incompetence and hubris in the governance of the UK.

To me, this moment is not an end; in the long run, it will mark only a temporary interruption of our place in the European family. It is the beginning of a campaign to rejoin. Scotland's future is as part of that family. I hope that the rest of the UK will reach that decision too, some day. I even hope that Europe will have them back. In the words of the pledge that the European movement in Scotland has just launched:

"We declare that Scotland is a European country, embracing our common values of peace, democracy, human rights, equality, sustainability and solidarity. The clear wish of the great majority of the Scottish people is that Scotland should be within the European Union. We commit to working to bring this about, whatever Scotland's constitutional status."

In short, Presiding Officer, we will be back.

14:15

Willie Rennie (North East Fife) (LD): The debate needs a bit of realism. The deal is going through because Boris Johnson has an 80-seat majority, he has his Eurosceptics on board and even the bulk of the Labour Party is backing it. No deal has therefore finally been taken off the table.

However, just because we accept that Brexit is happening, there is a deal and it is going through does not mean that we have to like it. We are realistic, but we will not swallow our deep

reservations about Brexit, and especially about this deal. In no way is anyone compelled to vote for something that they think will be bad for this country. After all the Brexit chaos that the Conservative UK Government has inflicted on millions of people for years, and after the Scottish Conservatives' promise that they would never back a deal that gave separate treatment to Northern Ireland, that party is in no position to lecture anyone about Brexit today.

It should be no surprise that Scottish Liberal Democrats cannot support the Conservatives on Brexit today, because our support for Europe has been resolute for decades. *[Interruption.]* No, I will not take an intervention.

Examples of that support range from the Liberals' support for the yes campaign in the 1975 referendum, the gang of four in the 1980s, and Paddy Ashdown bailing out John Major to support the Maastricht treaty in the 1990s to our enthusiastic support for the remain campaign in 2016 and, over the past four years, our advocacy for a people's vote. People who believe in a strong relationship with Europe can count on us. We do not use Europe as a weapon in another battle, to be discarded when it is no longer useful. We believe in international partnership and co-operation, especially with our closest neighbours. That is why we support keeping the UK together and believe that the lessons from Brexit should also be lessons for those who advocate independence.

This is a bad deal. The Prime Minister ran down the clock in the most cynical fashion, giving parliamentarians just three working days to read, analyse, scrutinise and vote on 1,246 pages of complex legal text. That is not good government. Giving companies just a week to get ready is not good business. Where is the sensible easement arrangement?

We will be the first country in the world to put trade barriers up as a result of a trade deal. The Prime Minister claims that there will be no quotas or tariffs on goods. However, if the UK diverges, which is supposed to be the point of Brexit, there will be heavy, punitive tariffs and quotas, which will hang around like a bad smell for years to come. There will be more paperwork, regulation and red tape. There will be double regulation on health and safety, on standards such as those contained in the registration, evaluation, authorisation and restriction of chemicals—REACH—regulation, on the recognition of qualifications and on the rules of origin. Why are there an estimated 400 million new forms for business if there is supposed to be no additional paperwork? Why is the Government recruiting 50,000 customs agents if there is supposed to be no additional red tape? Why are

there 23 separate new committees if bureaucracy is supposed to have been slashed?

There is no agreement on financial services, broadcasting or the creative and legal industries, all of which are world leading in the UK. Without equivalence, those businesses will face a web of different rules across the EU. Most financial services have already found new homes in Paris and Frankfurt, while creatives look to Amsterdam and lawyers to Dublin. Thus, we will see a slow erosion of services business activity to the EU rather than it being exported from the UK.

Where is the sea of opportunity for fish? The industry rightly feels that it has been duped. The deal takes back control of our waters before promptly handing it back to Europe for five and a half years at least. There is no Erasmus+ for students, no European arrest warrant to help us to catch escaping criminals and no European health insurance card to protect us when we are on holiday.

The UK economy will suffer a slow puncture as companies decide to work out of Europe in future rather than out of the UK. What will replace it? All the UK's new trade deals with non-EU countries are simply copies of existing EU trade deals. Where, then, is the advantage for the UK? Where is the opportunity? If the EU trade arrangements were holding us back, how does a copy of an EU trade arrangement help us?

Still, we must look forward. Against that backdrop, the UK Government must step up and explain how on earth it will create new jobs and opportunities, how it will engage with our neighbours in Europe, and how it will work and trade with new countries. This country must be open, optimistic and engaging with the world. The Liberal Democrats will work to make that a reality. However, when our children look back at this time, they will be astonished that the UK Government voluntarily pursued this big-bang change in the middle of a global pandemic and the biggest economic and health crisis that this country has ever faced—it is quite astonishing.

14:23

Bruce Crawford (Stirling) (SNP): I sincerely hoped that a debate on a consent motion for an agreement of this type would never be required. Perhaps naively on my part, I believed that common sense would prevail and that, at the very least, Scotland would remain in the single market and the customs union, and the precious and fundamental principle of freedom of movement for people across the European continent could be retained.

I have no doubt that the deep impact on the economy and jobs will be to the fore during the

debate. An agreement will come into force in less than two days' time, but we will all have to live with the economic consequences for decades—greater hardship and many fewer opportunities will be the reality. As the UK Government's Office for Budget Responsibility forecast, this type of agreement will reduce Britain's long-run gross domestic product by 4 per cent, unbelievably making the long-run costs of the pandemic look minor in comparison.

Other members will want to focus on the betrayal of Scotland's fishing communities or the scandalous decision not to take part in the Erasmus+ programme, which had such an impact on our young people. Some will wish to highlight the chameleon-like, ever-changing position of the Scottish Tories as they seek to justify each new position adopted while the sand runs out from underneath their feet. However, for me personally, it is the ending of freedom of movement that brings the greatest concern and, as Patrick Harvie said, sadness.

Any gains that might have been made from taking back control—the deceitful campaign slogan of the leave campaign—will come at great cost to our personal freedoms.

Liam Kerr: Will the member take an intervention?

Bruce Crawford: I have only four minutes and I have had enough of Brexiteers for the rest of my life, frankly.

Freedom of movement began as a way to encourage people to travel to fill jobs after the hell of the second world war and, crucially, to discourage future conflict on the continent. After 60 years, that freedom allows citizens to work, study and retire anywhere in the European Union, plus of course Norway, Liechtenstein and Iceland.

The stark reality of taking back control is that our cherished freedoms are to be taken from us. It fills me with despair that those hard-won fundamental freedoms can be so easily cast aside and forgotten. In all good conscience, for that reason alone, I could not support the trade and co-operation agreement. If I voted to support the agreement, I would be taking ownership of it and saying to young people in Scotland that I was voting to restrict their freedom to travel, work and reside in any EU country of their choice and to restrict their freedoms to study, start a business or even fall in love.

I am angry, because the agreement all too clearly demonstrates that the Tories are hellbent on imposing their small-minded and inward-looking isolationism on a country that voted overwhelmingly to remain in the EU. The agreement lays bare the lie that a no vote in the September 2014 meant that Scotland would be an equal partner in the UK and the EU.

Although there is anger, despair and sadness, there is hope for the future, too, because I know that I live in a Scotland that is outward looking and international in its perspective. That is why, in the second independence referendum that is undoubtedly coming, the progressive voices of hope and the belief that Scotland should take her responsibility as an independent nation will win the day.

14:26

Jamie Halcro Johnston (Highlands and Islands) (Con): I remind members of my registered interests as a partner in a farming business and a member of a number of agricultural bodies.

Across the country, there was an audible sigh of relief when news hit that a trade deal between the UK and EU seemed to have been reached, just two days out from Christmas. As that news first dropped, Michael Russell was lecturing the Parliament on the dangers of no deal. The response from my colleague Dean Lockhart was prescient: he asked whether the SNP, despite its claims, would vote for or against the deal that it had previously held to be so essential. We now know the answer, because the SNP, along with the Liberal Democrats and probably Scottish Labour—although it might have changed its mind since the debate started—will all reject the deal.

I believe in co-operation and free trade with our closest neighbours, as do organisations such as the CBI, the Federation of Small Businesses, NFU Scotland and the many others that have welcomed the news that an agreement has been reached. It is a good deal for our agricultural sector. Tariff-free trade will benefit many. For example, it will avoid potentially sizeable tariffs for our farmers and crofters whose lamb is exported to the EU. The National Sheep Association has called on us to celebrate the deal.

The deal also addresses many non-tariff barriers, which are just as important to businesses and exporters. The EU recognises many of the key geographical indicators, such as Scotch whisky and Arbroath smokies, that underline the quality of our produce. Combined with the UK Government's flexibilities on seasonal workers, the farming sector as a whole will end this year with far greater certainty than it had when we entered it. However, Scotland's farmers and crofters are of course still waiting for SNP ministers to

“Stop dithering and start delivering”,

and to come up with a clear agricultural policy for the future.

On fishing, the UK will be outside the common fisheries policy as an independent coastal state for

the first time in a generation, while our important seafood sector's ability to continue to export to vital EU markets has been protected. Although I appreciate that some will question the length of the proposed adjustment period, that is huge progress from the period that the EU initially demanded and will provide time to invest in our fishing communities, to prepare infrastructure and rebuild our fleet in order to prepare for a bright future that lies ahead for Scottish fishermen in which our fishing sector grows on the back of increasing opportunities. That future will be so different from that offered by the SNP of being back in the CFP and under the control of Brussels.

Many members voted to remain in the EU, and I was one of them. However, whatever view we take of the referendum in 2016, it is right that we move forward in a spirit of co-operation and partnership with the EU. It is that question—not the one about whether we agree with the result of the referendum—that we face today.

I also recognise that some members in this chamber voted to leave the EU. If Alex Neil is to be believed, more SNP members did so than will own up to it publicly. That should not be a surprise, because they would have been representing the estimated one third of SNP supporters who back Brexit and whose opinion the SNP has totally ignored for four years.

It is entirely positive that we have before us a solid free trade agreement with our nearest neighbours and good friends in the European Union. Many said that it could not be done; some—including the First Minister—even suggested that a no-deal outcome was what the UK Government was seeking, but they were wrong. We will now have a period of stability in our relationship and an opportunity to rebuild our economy, focus on the NHS and continue to battle the Covid pandemic that has caused so much harm and suffering.

Today's vote is not, as some will seek to present it, a vote on EU membership. We have been out of the EU for a year now. Voting to turn our backs on the EU would be a strange way to show support for it, because the agreement that we are debating is as much the EU's agreement as the UK's. Both have compromised, but it is in the interests of both. Many in the chamber have claimed that they oppose a no-deal outcome, but those words will be meaningless if they choose not to vote for the deal.

The time for divisions between remain and leave are over. Now is the time to move forward together as a Parliament and a country, and backing the deal today is the first step.

14:31

Clare Adamson (Motherwell and Wishaw) (SNP): Presiding Officer,

“To make it perfectly clear, I say that it is not acceptable to me if the outcome of our exit from the European Union means that we can no longer participate in the Erasmus+ programme.”—[*Official Report*, 16 May 2018; c 61.]

Those are not my words—although they could have been—but those of Jackson Carlaw in 2018. In January, the Prime Minister said at Prime Minister’s question time in Parliament:

“There is no threat to the Erasmus scheme”.—[*Official Report, House of Commons*, 15 January 2020; Vol 669, c 1021.]

Why does that betrayal matter? Although, at the time, the programme was primarily for higher education students when it was established in 1987 under the stewardship of Dr Winnie Ewing when she chaired the European Parliament’s Committee on Culture and Education, Erasmus+ is now so much more. It helps further education students, apprentices, youth groups, lifelong learners and educators to participate across Europe.

On the radio this morning, Alister Jack indicated that the programme was too expensive and elitist but the convener of the Culture, Tourism, Europe and External Affairs Committee has shown us that our Parliament’s investigation into Erasmus highlighted its benefits. Indeed, the European’s Commission 2019 impact study on the Erasmus programme also highlighted its benefits, stating that Erasmus and its strategic partnerships facilitated social inclusion and reinforced democratic values. Three in five projects were considered to have contributed to enhancing social inclusion and non-discrimination in higher education. In addition, 56 per cent of participating organisations stated that the strategic partnerships reinforced democratic values and the civic role of universities in their countries.

The report went on to talk about how important Erasmus is to the competencies of employment and social cohesion. It stated that participants find it much easier to get jobs and that one in four Erasmus students go on to train abroad following participation in the scheme. [*Interruption.*] No. I am sorry, but I do not have enough time to take an intervention.

The mobility of academics improves teaching, learning practices and staff skills and competencies. For our education establishments, Erasmus projects boost digitalisation and innovative pedagogies—how important that is during a pandemic. Erasmus also enhances and strengthens innovation and entrepreneurship.

All those tangible benefits have been thrown under the Tory Brexit bus, along with the extra

moneys for the NHS. That is not the case for Ireland. That small independent nation of the European Union will extend the benefits of Erasmus+ to Northern Ireland even after Brexit. The country’s Minister for Higher Education, Simon Harris, said:

“it’s not a cost, it’s an investment.”

How very different it could have been for Scotland and our young people if the pleas for a differentiated settlement had not fallen on Westminster Tory deaf ears. Mr Jack says that the programme is “too expensive”. I say that it is an investment in our young people. Ireland has demonstrated values that reflect why the United Nations ranks it first for quality of life, while the UK languishes far behind many European neighbours. What a beacon of hope it would be for an independent Scotland.

We have heard taunts in the chamber this afternoon about whether this is a deal or no deal. Unfortunately for the Conservatives, the whole country knows that it is not “Deal or No Deal”, but a game of “Jeopardy” that they are complicit in. They are jeopardising the life chances of our young people, apprentices and youth groups. They are jeopardising 33 years of relationship building between Scotland’s universities and the academia of our European neighbours. They are jeopardising the opportunities for collaboration and innovation, jeopardising social and cultural integration across Europe and jeopardising the very recognition of professional qualifications across Europe in the middle of a pandemic.

Boris Johnson promised a sea of opportunity for our fishing, promised that Erasmus+ would be safe and promised a bonfire of red tape. However, the only bonfire that we have is one of broken Brexit promises, and I fear that it will be burning for a very long time.

14:35

Claire Baker (Mid Scotland and Fife) (Lab): Although the agreement that has been reached between the UK Government and the EU inevitably comes with a sense of relief that the absolute chaos of a no-deal Brexit has been averted, the impact of leaving the European Union will be felt in communities across Scotland in the months and years to come.

We have been unnecessarily taken to the cliff edge of no deal, which would have been catastrophic for our economy, our international reputation and our future relationship with the EU. In the midst of the pandemic, there was a clear justification for an extended negotiation period, and there is still justification for a longer transition period, as businesses are already facing a very difficult start to the year.

As deputy convener of the Culture, Tourism, Europe and External Affairs Committee, I have heard a wealth of evidence from organisations across the country about the barriers, complexities and risks that businesses, academic institutions, public services and individuals face as a result of Brexit. The deal that we are faced with across the UK today leaves many unanswered questions about what the consequences will be.

Whatever we decide in this Parliament today, Brexit will go ahead, in all likelihood on the terms that have been agreed in the deal. However, today is an important opportunity for this Parliament to express its prevailing concerns.

A legislative consent motion should be a substantive mechanism for dialogue between this Parliament and the UK Parliament, and a focus for effective and inclusive dialogue between the Governments of the UK. However, there has been little engagement or detail from UK ministers, not only on the negotiations, but on analysis of the potential impacts of Brexit and their approach to securing a deal with the European Union.

Not only was there a lack of consultation with committees of this Parliament, but we have also heard in evidence from Scottish ministers that there has been little effective dialogue at ministerial level. The approach that the UK Government adopted has—by accident or, as I suspect, by design—failed to recognise or understand the role of devolved Governments and Parliaments, and the way in which the LCM has been introduced is a clear indication of that.

There cannot be an MSP in the chamber who does not envy the right of democratic scrutiny that has been protected for the European Parliament by application of the agreement on a provisional basis. Of the 36 clauses in the bill, 24 are relevant to the legislative competence of the Scottish Parliament, but we have had no opportunity to consult and take evidence on them, or to effectively scrutinise them.

We should take our role as parliamentarians seriously, and the proposition that is before us today—that we should accept changes to our devolved responsibilities with insufficient understanding of the consequences—is unacceptable.

That is not the question that is being asked at the UK Parliament today, and the consequences of the votes are not the same. Although SNP MPs are prepared to vote against the bill at Westminster, those who are taking it seriously recognise that to reject it would risk, in effect, setting us on a no-deal course: a chaotic exit with no statutory underpinning. That is the difficult decision that is being taken by Labour MPs, but it

is being taken in the interests of businesses and communities right across the country.

However, we have a different proposition before us and so, somewhat regrettably, it is not surprising that we and other devolved Administrations and Parliaments are concluding that we cannot support the respective legislative consent motions.

There is no doubt that many of our discussions in the remaining months of the current session of Parliament and in the next session will be centred on the impact of Brexit and the deal that has been agreed, and those concerns will weigh on many of us as we cast our votes today.

The UK Government has done little to reach out to those who voted to remain in the European Union and less to involve the devolved Parliaments in discussing the terms on which the UK will leave, so it should really come as no surprise to it when Parliament rejects the LCM today.

15:39

Kenneth Gibson (Cunninghame North) (SNP): A' that for a' that. The promised land is but 48 hours away—the UK's new awakening, free of Eurocrats and straight cucumbers. Or was that just a myth created by Boris Johnson many moons ago? Still, we will not have to worry about EU citizens coming over here, picking our fruit and vegetables, processing our fish, caring for our old folk and working in our universities—nah. We will also have control over our seas. Britannia rules the waves once more—although not in terms of fishing, obviously, as my colleague Stewart Stevenson will soon articulate.

The Tories argue that we should vote for this terrible deal on the basis that it is better than none at all. By that logic, we should support any old rubbish. Being asked to choose between this cobbled-together deal and none is like being asked whether we would prefer to be run over by a train or by a lorry. I simply do not accept that choice.

It seems that all that Scotland deserves is a choice between a terrible deal that we would not vote for and no deal, which we did not vote for. Even then, our view counts only if it is in accordance with Westminster's. Whatever happened to Scotland leading rather than leaving the UK? Scotland, the Scottish Government and this Parliament have been repeatedly ignored or dismissed during the entire Brexit debacle. Our nation is surely worth more. We must have the right to determine Scotland's own future, including the choice of becoming an independent European nation.

Meanwhile, businesses, their proprietors and their employees are bearing the brunt of Tory incompetence. Only yesterday, the UK Government admitted that there would be “practical and procedural changes” that businesses must deal with when the transition ends, as well as “some disruption” as many businesses prepare for the added costs, bureaucracy and red tape of “new customs procedures” impacting in just two days’ time.

“Some disruption” is a blatant understatement. People who are travelling to the EU have been urged to check things such as mobile phone roaming charges and the need for extra insurance, and that is only the start. The Brexit deal is an act of economic vandalism during a global pandemic, and it will damage jobs, incomes, businesses and the economy. The Warwick study estimates that the Scottish economy had already lost £4 billion by July 2020, and, according to the Scottish ministers, the deal could cost every Scot more than £1,600 annually by 2030 compared to the cost of EU membership. The Tories might say that that is scaremongering, yet the Treasury estimates that the impact could be one third higher. Industries and communities face higher prices and reduced access to EU markets; our right to live, work and study across Europe is being stripped away; justice and security co-operation is being diminished, and the blame lies squarely with the Tories.

SNP MSPs simply cannot support this damaging deal. We reject it on behalf of the Scottish people, whose views have been ignored and who oppose the entire Brexit shambles, but who have to accept whatever is imposed on Scotland regardless.

There is limited provision for Scotland’s crucial financial services in the trade and co-operation agreement. The sector will now be subject to a 30-day notice of withdrawal of equivalency, which will create a level of uncertainty and risk to financial services providers, which will be forced either to maintain EU-authorized businesses and gear up operations on a member state basis or to withdraw their services. That will result in a diminishing of Scottish operations, reduced employment and tax revenue, and extra charges to firms for multiple authorisations and compliance.

All goods sectors face higher costs of trading with the EU due to the additional customs and borders procedures and paperwork making businesses less competitive. Manufacturing, food and drink, agriculture and forestry are particularly at risk. The seafood sector will also require new certificates and changes to business practices.

Justice and security co-operation will be seriously impacted, which will leave Police Scotland with less-effective methods of fighting

international crime gangs and people trafficking. Reduced EU migration will negatively impact our population, economy and culture, exacerbating labour shortages in health and social care. It is not clear how access to horizon 2020 will be delivered.

It is a bad deal. I ask colleagues to reject it and to support the motion.

14:43

Liz Smith (Mid Scotland and Fife) (Con): I am sure that I am not alone in having lost count of how many Brexit-related debates there have been in the chamber in the past four years. At every turn, the SNP has argued vociferously the dangers of having no deal. The *Official Reports* of this Parliament, some of which I read last night, are littered with SNP criticisms of having no deal because, it said, the outcome was too terrifying to contemplate. Indeed, it even tried engaging the lawyers to stop a no-deal Brexit. Yet, this afternoon, when a deal is in front of them, SNP members will reject it.

Patrick Harvie: Will the member give way?

Liz Smith: I will not, if Mr Harvie does not mind.

I will say more about that in a minute. Before I do, I want to make it abundantly clear—I agree entirely with my colleague Jamie Halcro Johnston about this—that whether we voted leave or remain is not the issue today. That decision, about which some of us in this chamber were disappointed, was made back in 2016. The time to accept the verdict of the 2016 referendum was the day after the result. Politics had moved on, and for us that meant that every effort had to be made to secure a post-Brexit trade deal.

Patrick Harvie: Will the member take an intervention?

Liz Smith: I will not, if Mr Harvie does not mind.

A post-Brexit trade deal was not only in the best interests of the UK and the EU in comparison to no deal; it was in the best interests of Scotland. Indeed, when we debated the UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill 2018 many times in recent months, virtually the only line of agreement between nationalists and unionists was that, whatever post-Brexit structures are put in place, they must support economic growth. Here is why: a post-Brexit trade deal was what the vast majority of businesses wanted because it secured them advantages in terms of jobs, trade, investment and economies of scale—all factors that are essential to economic growth and that are even more important during a health pandemic that has done so much to undermine our economic activity. Only yesterday, there were further warnings from economists that

pre-pandemic levels of GDP will not return until the end of 2022 at the earliest. That is a stark warning.

To have ended up with no deal would have been much the worst outcome for us all, which is exactly why so many in the business community—the Federation of Small Businesses, the CBI, the Scottish Chambers of Commerce and NFU Scotland—describe the deal as a huge relief. The basis of the deal that has been secured is the protection of UK and EU trade, with exports and imports of £668 billion, while allowing the UK much more freedom to strike other trade deals, just as has been demonstrated in recent months.

The deal has to mean the creation of new jobs—especially green jobs; the maintenance of high standards, whether in the environment or in food; and a level playing field for future trade negotiations, within frameworks that are attractive to investment and new talent. All of that must be secured alongside UK participation in EU science projects, horizon Europe, Euratom and Copernicus, as well as mutual co-operation on security and law enforcement.

Let me return to the numerous debates in this chamber during which the SNP used every opportunity to accuse Conservative members, in particular, of selling out Scotland—and worse than that in some of the *Official Reports* that I read last night. The words “treachery”, “disloyalty” and “hypocrisy”, and even some words that the Presiding Officer ruled as unparliamentary language, were used against us.

Now, however, after all that criticism—I do not know how many times it happened—and after claims that a deal was better than no deal, the SNP will vote against the deal. The truth is that the SNP never wanted a Brexit deal, because it believed that not having it was the best way to secure independence. Well, Brexit has happened and so has the deal. We, on the Conservative benches, will support the deal, because it is in the best interests of the UK, of Europe and of Scotland to do so.

14:48

Alex Rowley (Mid Scotland and Fife) (Lab):
The motion

“calls on the UK Government to seek a pause in current implementation while special arrangements are made to take account of these difficulties for Scotland and for the many others that will become apparent as the Bill is more fully considered.”

It should concern all of us that a bill that will cause severe damage to Scotland’s environmental, economic and social interests is being given so little scrutiny. This Parliament’s agreement to a legislative consent motion does

not have a binding legal effect. Whether or not we agree, Boris Johnson and his Cabinet of ideologues will proceed regardless as long as they can secure a majority at Westminster. This Parliament has no power either to approve the trade deal or to prevent its being agreed by the UK and the EU. That is a matter for the Westminster Parliament. However, there does seem to be a general consensus even in this Parliament that a bad deal is better than no deal.

At the UK level, Keir Starmer has said that this thin agreement will not do enough to protect jobs, the environment or workers’ rights, but the only alternative at this stage would be a no-deal exit, which would be even more damaging to the UK economy. Labour will not vote for no deal at the UK level, given that it would be even more damaging for Scotland as well as for the rest of the UK. Scottish Labour supports that position and will use this symbolic vote on the LCM in the Scottish Parliament to highlight some wider issues.

As the party of devolution, we make the point that Boris Johnson and his cabal have, throughout the whole Brexit process, driven a cart and horses through the devolution settlement. To all those die-hard unionists who think that that is somehow clever, I say that it is not and that it threatens the very fabric of the UK. It is not in Scotland’s interests either, because our largest trading partner is the rest of the United Kingdom. That is why I say again that the greatest threat to the future of the United Kingdom is Boris Johnson and his race-to-the-bottom Tory party.

Given the fact that the LCM that is before Parliament today is pretty meaningless, it must be considered a wake-up call regarding the desperate need to reform the devolution settlement. There is a growing movement for reform and change across the whole of the United Kingdom—in Wales, Northern Ireland and the regions of England—and we must use the experience of Brexit to build better government through the realisation of government that is closer to the people.

We also make it clear today that the Scottish Parliament demands a greater say in future trade deals, in how we use state aid to build an industrial base for 21st century Scotland and in how we rebuild our relationships with the rest of Europe, because we may have come out of the European Union but we have not come out of Europe. We must also make the case that, because our largest trading partner is the rest of the UK, reforming government across the whole of the UK is crucial for Scotland in the 21st century.

As we move forward and as Brexit happens—the vote will happen at Westminster today—we must look forward to the type of Scotland that we

want to see in the 21st century, which is the type of Scotland that can provide jobs and security for the people of Scotland. That will be achieved through enhancing the powers of the Scottish Parliament and stopping the threat to devolution that comes directly from the Tories and Boris Johnson.

14:53

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): On 30 September 1938, Neville Chamberlain came off a plane at Heston airport in London after many days of fog. On 24 December 2020, Boris Johnson, like Neville Chamberlain, waved his bit of paper that represented the most gross and manifest capitulation to the interests of others. Neville Chamberlain at least was cheered along the Mall when he went to brief the monarch, although it did not last terribly long. Boris Johnson could not even arrange for a crowd to cheer this grubby little deal that we find ourselves debating today.

Ruth Davidson spoke to us about what she sees as the benefits of the deal, and she spoke about the headlines. However, the headlines may give but the small print take away. I have had to double the size of the print of the agreement where fishing is concerned, because the relevant numbers were in five-point print.

We have heard about the 25 per cent increase in quotas. There are 87 lines on pages 902 to 906 of the agreement and each of those lines shows a different stock with the outcomes for it between now and 2026 and beyond. How many of those lines show an uplift of at least 25 per cent? The answer is four: hake from the North Sea, hake from the western waters, horse mackerel from western and Norway pout. For the fish that are important to us—cod and haddock—the quota is going down. That is why skippers in the north-east of Scotland have been saying that this deal is worse than membership of the common fisheries policy. It is not a better deal.

Let us look at some of the other numbers. How many of the 87 lines on quota give the UK at least 50 per cent of the catch? The answer is 25. How many of those lines give us the 100 per cent of catch that we were promised as an independent coastal state? None. Not a single one. That is why there has been celebration across Europe. The EU got everything that it wanted. The *Frankfurter Allgemeine* quoted Douglas Adams in its headline yesterday—“So long, and thanks for all the fish”.

Of course, those of us who have read “The Hitchhiker’s Guide to the Galaxy” know that, when the most powerful computer was asked what the answer was to the most important question, the computer, after 3 million years of computation,

came up with the answer “42”. By coincidence, in only 29 of the lines in this sell-out deal—a deal that is brought to us courtesy of Boris Johnson, the man who is master of not a single, dot, comma or matter of detail—is the UK’s percentage of quota as much as 42.

This is a shabby deal which, apart from the single exception that I have been able to find, sees skippers condemned without reservation. This shabby deal will place our fishermen—as well as our seed potato merchants—in a worse place than they have been in for decades.

14:57

Graham Simpson (Central Scotland) (Con): Debates such as this one—as Liz Smith said, there have been many—have tended to be about how people voted in the referendum. We have heard some of that today, but we have moved on from that. We have left the EU; we did that in January. Today’s debate is about what happens next. It is about what our trading relationship with the EU is to be and what the terms will be. The question since January has been whether we could negotiate a future trading relationship with the EU.

The Prime Minister has delivered. We could have been without a deal, but it is always better to have a mutually acceptable deal than not to have a deal. Nicola Sturgeon has been saying that for months. She was right to say so, but I am not sure that she meant it, because for the SNP now to say that it will not back the deal—it has been agreed to in Westminster, by the way—is tantamount to backing no deal. If the SNP got its way, we would have no deal from tomorrow onwards. In the words of the First Minister, that could be “catastrophic” for both sides.

It is clear to me that the First Minister was repeating her mantra about no deal being bad because she believed that that would be the outcome. Indeed, she wanted it to be the outcome. She hoped that she would then be able to use what she would describe as the ensuing chaos to push for independence. She thought, wrongly, that Boris Johnson would not be able to pull this deal off—indeed, that he did not even want to do so. However, she miscalculated. She misjudged the Prime Minister. She also forgot that the EU always leaves things to the 11th hour. Boris Johnson has delivered on democracy, and she does not like it one bit.

This is the first time that the EU has ever done a deal allowing zero quotas and zero tariffs. That is historic. At midnight tomorrow, our fishermen will be able to catch more than before, and they will get Government investment. We can do trade deals around the world; Liz Truss has been

zooming around the globe doing just that. We can control our borders with a points-based immigration system, and all our laws will be made in our Parliaments.

This historic agreement ends the EU state aid regime in Great Britain and allows us to introduce our own modern subsidy system. It ensures that each party will have in place its own independent system of subsidy control and that neither side is bound to follow the rules of the other. That means that we can better support businesses, such as BiFab, to grow and thrive in a way that best suits the interests of British and Scottish industries.

The German columnist Alexander von Schoenburg wrote:

“Your Prime Minister has achieved a deal which is nothing short of sensational: Legally out of the EU but with full economic access to it – which is the best possible news for the members of the EU, too.”

If both sides like the deal, what is not to like? The SNP’s stance is nonsensical. Scottish Labour’s is utterly bizarre. No-deal Nicola has been exposed. Now, having been rumbled, she should do the right thing and put country before party.

The Presiding Officer: We move to closing speeches.

15:02

Alex Cole-Hamilton (Edinburgh Western) (LD): I rise to close for the Liberal Democrats and to restate the position of my party both in this Parliament and in Westminster. We have already voted against the Conservative Government’s Brexit strategy and trade deal in the House of Commons this afternoon, and we will vote to withhold our consent for it in this chamber this evening.

However, that is not an effort to manufacture grievance between the nations of these islands. We do not see this as a frontier in another constitutional debate, and at no point will we permit our vote against this deal to be used by the SNP to that end; nor is it tacit support for leaving the EU without a deal. You need only look at the history of my party and its efforts, side by side with ardent Europeans, to understand the measure of our commitment to the European project.

I am a European to my fingertips. I joined my party in part because of its place in an international liberal movement that seeks to bring nations together. The European Union is a project for peace and freedom that ended centuries of war. It says a lot that I am only the second generation in the recorded history of my entire family to have never had to face conflict in continental Europe. I cannot believe that our country is turning its back on that.

Liberal Democrats are heartbroken by this outcome and we will not act as midwives to it. This deal sailed through the Commons this afternoon by a country mile and no deal is off the table. It will honour the will of those people who voted by majority for the UK to leave the European Union in 2016. I accept that result, but I will not be complicit in its execution.

Since that day in June more than four years ago, my party has stood in the vanguard of those who have called for the British people to have the final say on this deal and for them to be asked, in the quiet solemnity of the polling places where this first started, “Is this really what you meant?” We stand by that commitment. The British people will not be given a chance to render judgment on this deal, so we cannot presume to decide on its merits for them. Our votes against it and to withhold consent are borne not of petulance but out of a recognition for the mandate that was given to our party to fight for that final say and against this destructive enterprise.

To the SNP, I note that we might vote on similar lines in Edinburgh and London this evening but we do so for very different reasons. Brexit is not a reason for independence; it is a warning against it, and remainers will find the SNP out. There is no viable path to European membership through independence that would not take an age or cause our people hardship. Rather, it would bring us more chaos, just at a time when people around this country are crying out for calm. All the arguments that the SNP has deployed against the UK’s departure from the EU are applicable to Scotland’s departure from the UK, and we will remind SNP members of their words should that question arise again.

We vote against the deal for the same reasons that we will always vote against independence. As Liberals, by definition we are not nationalists. We could not willingly vote to make our constituents poorer or our country more isolated in order to satisfy romantic notions of statehood and sovereignty. Instead, I will use all the time that I am given as a public servant to defend our membership of the union of nations that we still have left to us and, over time, to build the case for re-establishing our membership of the one that we have lost. Our vote is entirely consistent with the position that we have held over the past four years. We never called for this deal or for any deal other than the one that we currently enjoy. Nothing about Brexit will improve the lives of the people who we were sent here to serve. We therefore want no part in the deal or its delivery, and we will vote against it tonight.

15:06

Ross Greer (West Scotland) (Green): It has been interesting to watch two almost completely unrelated debates take place. Four of the five parties in the Parliament are, to a greater or lesser extent, debating the issue at hand, which is that of whether to grant legislative consent for the enabling legislation surrounding the UK Government's Brexit deal. However, the Tories are stuck somewhere in 2019, arguing against a no-deal scenario that is no longer possible. Of course, in 2019, they were not the ones arguing against no deal; they were insisting that that would be better than a bad deal.

Ruth Davidson may have made this accusation against members of other parties, but the mental gymnastics and rhetorical flourishes of the Scottish Tories over the past four years have been incredible. It was not all that long ago that the soon-to-be baroness was passionately advocating for the single market and customs union. Even more recently, Jackson Carlaw joined the rest of us in defending Scottish participation in the Erasmus+ scheme. One has to wonder whether the so-called moderate Tories realise that, at some point between 2016 and now, they became advocates of an even more extreme Brexit than the one that the duplicitous vote leave campaign advocated during the referendum campaign.

This has been addressed repeatedly already, but I repeat that neither we nor members of the Senedd Cymru, the Northern Ireland Assembly or even the House of Commons are being asked to choose between this terrible deal and no deal. That question is over. The Brexiteers won, and the UK Government's executive powers under the royal prerogative mean that the Brexit agreement will be ratified. No deal is not on the table; it is no longer an option. Scotland will be dragged out of the EU against our democratic wishes on the basis of the deal.

However, beyond the technical fact is the political reality that the bill that was considered in the House of Commons today would have passed with Tory votes alone. Even if the UK Labour Party had taken a principled position rather than one of triangulation, it would not have mattered. The Tories won the most recent election. This awful deal was negotiated and passed by them, and they should own it. However, they do not want to own the consequences of their deal, such as the job losses to come and the loss of opportunities for our young people, and they certainly do not want to own the blow that they have just struck against the service sector.

The Scottish Greens opposed Brexit. We believe that the UK was always better off in the European Union, and we have no doubt that Scotland's interests would be best served if our

future were as an independent nation and a full EU member state. We look forward to that debate as we head into next year's election, and we look forward to the majority who are now in favour of this country's independence seeing their collective will realised as a result of the democratic mandate that we will secure in May.

Our objection to granting legislative consent is based on more immediate concerns. The Brexit process has been used by the Westminster Government as an opportunity to directly attack the very principles of devolution and the authority of Scotland's Parliament. That was by no means an unavoidable consequence of Brexit; it is simply the one that the Tories chose. They are taking full advantage of a crisis of their own making to take control from the British people—especially from the peoples of Scotland and Wales—rather than to give control back to them. That was the agenda all along.

I have no doubt that many leave voters made their choice out of a desire for some kind of strength in popular sovereignty. However, that was never the goal of the disaster capitalists driving the leave campaign, who now drive the UK Government, and they found that the price of acquiescence from their Scottish Tory colleagues was nothing more than a peerage.

Today, the Parliament will withhold its consent from the Tories' bad deal and its consequences for Scotland, but we know that the UK Government will plough ahead regardless, driven, as it has been for decades, by a profound post-imperial identity crisis and the always-enticing opportunity to cash in and profit at the expense of the people the Tories claim to represent.

Scotland did not vote for this—not in the referendum nor in any election since. If there is any upside to these last few days and years, it is that there is now a sustained majority in favour of independence. On what is otherwise a day of great sadness, I, for one, look forward to the moment, coming soon, when Scotland takes its place among the European family of nations once again.

15:11

Anas Sarwar (Glasgow) (Lab): Where has the Ruth Davidson of Wembley arena gone—the Ruth Davidson who claimed to be the hero of that Brexit campaign? Where is her remorse? Where is the apology from her and those on the Tory benches? Four years of chaos, four years of deadlock, four years of division and four years of the destruction of our democratic processes. Where is that apology? Where is that remorse? In normal times, what is happening would be an absolute disgrace, but let us not forget that we are in the midst of a

pandemic. Thousands of our citizens have lost their lives. Hundreds of thousands of people's livelihoods are still at risk. What is happening is unforgivable, and the sad reality for the party that claims to be the Scottish Conservative and Unionist Party is that the biggest threat to the United Kingdom is Boris Johnson and that party itself.

This is a deal that will hammer Scotland and the rest of the UK. It is a deal that puts up barriers when the rest of the world is trying to break barriers down, that ends the Erasmus programme that gives our young people opportunity and outward-looking hope, that impacts on our economy and on our jobs and that reduces our employment rights and environmental rights. That is why we, as a collective, should be fighting together to protect those economic levers and those employment and environmental rights, and I therefore thank the SNP for supporting our amendment.

However, we must also be honest that the choice in this Parliament is very different from the choice that faces our colleagues in the UK Parliament, and it is wrong to suggest otherwise. I have heard some say that what Scottish Labour is doing today is somehow playing the SNP's game. Is Welsh Labour playing the SNP's game, or is it standing up for devolution in Wales, like we are standing up for devolution in Scotland? The issue is devolution, not the SNP. The SNP is not devolution and the Scottish Parliament is not the SNP. Regardless of which parties are in power here and in the Welsh Parliament, what is happening would be an utter disgrace and an attack on the very principles of our devolution settlement and it is important to get that point across.

It is also important to recognise that the choice that we face here is different from the choice that faces our colleagues in Westminster. I will quote the House of Commons library—the equivalent of the Scottish Parliament information centre, which means that its staff are independent researchers. This quote should be listened to by those who deny that the choices in Westminster and the Scottish Parliament are different. The House of Commons library says:

“If the Bill does not pass, the UK will be unable to agree to give the Trade and Cooperation Agreement (TCA) provisional application and the UK would exit the transition period with no deal.”

It is in the national interest to support the deal in order to stop no deal, and I support my colleague Ian Murray in that effort and pursuit today.

The reality is that the process of reaching the trade deal has been an utter shambles. The agreement falls far short of what the Tories promised and has failed to recognise the

importance of devolved legislatures, which is why Scottish and Welsh Labour colleagues are today expressing our deep dissatisfaction with the process.

We have to stop no deal. The UK Parliament has a binary choice between a deal and no deal. Labour MPs are acting in the national interest—the national interest, not the nationalist interest—to avoid a no-deal scenario, and the SNP cannot escape that reality. Labour is standing up for devolution and for the Parliament, and stopping no deal in the UK Parliament. It has to be said that today is about the Tories and their failures. They have to own that failure, but we should be in no doubt that the impact of Brexit cannot be mitigated through being multiplied.

This is not a game. It is certainly not a game between Brexit extremists and independence extremists. Brexit will have a devastating impact on the UK economy, on living standards and on our standing in the wider world. However, division is not beaten with more division; chaos is not defeated with more chaos; and nationalism is not defeated with more nationalism.

Again, I remind members that we are in the middle of a pandemic. The lives of thousands of our fellow citizens are still at risk. Hundreds of thousands of our fellow citizens still risk losing their livelihoods. We must end the division, chaos and constitutional brinkmanship, and must instead resolve to make it our collective national mission to come through the pandemic and to rebuild after Covid.

15:16

Dean Lockhart (Mid Scotland and Fife) (Con):

The SNP's approach to the debate has been to avoid the fundamental question whether we want to leave the European Union with the benefits of a comprehensive deal or to leave without a deal. There is no third option here, at Westminster or in the European Union. It is deal or no deal.

There is a straight choice. It is between voting for the most comprehensive free trade agreement that the EU has ever entered into, covering £660 billion-worth of trade between the UK and the EU, that our European friends have described as “fair and balanced”, that is, as Graham Simpson pointed out, “sensational”, and which gives the UK full economic access to the European Union, and the other option, which is to join no-deal Nicola and cliff-edge Mike in voting against the deal and, in doing so, to support a no-deal Brexit, which, as my colleagues have reminded the First Minister, she said would be a “catastrophe”. In her words,

“a deal, any deal, is better than no-deal”.

However, that is exactly what SNP members will be doing today; they will vote for a no-deal Brexit because, deep down, despite all their spin, they know that the deal is a good outcome for Scotland but a bad outcome for their politics of division and their attempts to drive a wedge between Scotland and the rest of the UK.

It is a good deal because it will deliver historic opportunities for Scotland. As Ruth Davidson highlighted, it will deliver tariff-free trade and quota-free access to the EU single market. This is the first time that the EU has ever agreed such a deal—an outcome that the SNP itself called for three years ago, in its publication “Scotland’s Place in Europe”.

As my colleagues have said, that outcome has been welcomed by business organisations across Scotland and the UK. [*Interruption.*] I will go through the benefits of the deal. It might be worth the member’s while to listen. It might change their vote at decision time.

For Scotch whisky, we will be able to resolve the US tariffs that were imposed as a result of the Airbus/Boeing dispute, which has seen sales of Scotch whisky to the US decline by 30 per cent this year. On environmental and other standards, the deal will recognise the highest standards in domestic law, but will also allow those standards to be tailored to the particular needs of Scotland, with more than 110 new powers coming to the Parliament—powers that the SNP wants immediately to hand back to Brussels.

In addition, we will, as Graham Simpson pointed out, from tomorrow night be able to shape our immigration policy to meet the needs of our economy—a new freedom that is vital to support jobs and livelihoods that have been impacted by the Covid pandemic.

Jamie Halcro Johnston highlighted that the deal allows us to shape agricultural policy for the needs of Scottish farmers, free of the shackles of the common agricultural policy. The NFUS has said that it is “good news” that the deal has been done.

The deal works for Scotland’s business communities: farmers, distillers, scientists, manufacturers, exporters and the financial services sector.

Stuart McMillan (Greenock and Inverclyde) (SNP): Will the member give way?

Dean Lockhart: I will give way in a second. The SNP had said that the deal would not be possible, but is now calmly calling the deal a “thin deal”—precisely the opposite of how our European friends are describing it—and will vote against it today, thereby making it the party of a no-deal Brexit.

Stuart McMillan: Dean Lockhart listed a number of individuals and organisations that he thinks will benefit from the deal, but what about the younger people who are now going to be prevented from taking part in the Erasmus scheme?

Dean Lockhart: The UK Government has announced a comprehensive scheme to replace that scheme—the Turing scheme, which will be directed at students from disadvantaged backgrounds and will cover a comprehensive range of institutions, with around 35,000 students being able to participate.

The deal not only secures future trade with Europe, but frees Scotland to expand and trade around the globe. Scotland’s trade with the rest of the world beyond Europe is already 50 per cent more valuable than our trade with the EU single market. Countries all around the world, including Japan, Singapore and Canada, have been queueing up to enter free-trade agreements with the UK for important deals that will increase Scotland’s exports and support jobs and livelihoods. However, the SNP has, remarkably, failed to support every one of those deals. It refused to support the FTA with Singapore, which is the third-largest market for Scotch whisky, and the FTA with Japan, which is the fourth-largest market for Scotch whisky. It has refused to support deals with Canada, South Africa and a host of other countries. They were all rejected by the SNP, which has an extraordinary 15-year track record of voting against every trade deal that it had the opportunity to vote on, thereby undermining Scottish jobs and livelihoods that depend on access to those markets.

That track record shows that deep down, despite all of its spin, the SNP does not really care about trade, and it shows that its political priorities on Brexit are not about trade but about the politics of division and its desire to drive a wedge between Scotland and the rest of the UK.

In the first assessment of the deal’s economic impact, the Centre for Economics and Business Research has reported that the UK has this year again become the world’s fifth-largest economy, that the UK is set in the next decade to outperform every EU economy apart from that of Germany, and that over the next 15 years, the UK economy will become 25 per cent larger than France’s. Unlike the SNP, we want Scotland to share in that remarkable growth, and we want to expand our trade with the rest of the UK—a market that already represents more than 60 per cent of our business.

However, that will be possible only if we put the constitutional divisions of the past behind us and work together across the four nations of the UK. That is why we voted last week against the SNP’s

European Union (Continuity) (Scotland) Bill, which will create major trade barriers between Scotland and the rest of the UK. However, that legislation was supported by Labour and the Liberal Democrats, which has shown again that they cannot be trusted with the union.

The choice in the chamber this afternoon is simple. It is to vote for a no deal Brexit and to continue the constitutional divisions of the past, which is exactly what the SNP wants to do, or to vote for the historic comprehensive free-trade agreement and avoid a no deal Brexit, leaving the divisions of the past behind us and working together in the years ahead to rebuild our communities after the Covid pandemic. That is exactly what Conservative members will vote for at decision time this afternoon.

15:23

The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):

At the outset, I will quote the two leading experts on the constitution of trading deals who write in a blog for the London School of Economics:

“It has been suggested that a failure to vote in favour of the Brexit deal is a vote for ‘no deal’. Such a suggestion is, from a legal and constitutional perspective, entirely wrong. Similarly, a vote in favour of the bill is not a vote in favour of the deal. It is simply a vote to give the executive the powers set out in the bill.”

We have therefore heard from the Tories an entire afternoon of nonsense that is constitutionally and legally untrue.

Now that we have dispensed with that, we can deal with the real subject at issue today, which is the change that will take place tomorrow at 11 pm between what we enjoy as citizens of Europe and what we will fail to have at 1 minute past 11. That is the argument that Jamie Halcro Johnston tried to avoid in committee this morning and which Ruth Davidson tried to avoid earlier, but the issue today is what we will lose.

I have spent four and a half years on the issue of Brexit and I regard today as a very sad day because the Scottish Government has worked hard to try to achieve a compromise. We have had 28 meetings of the joint ministerial committee—I have to say that many of them have been appalling—and we have had committees, letters, publications and have gone the extra mile. At the end of the day, at 11 pm tomorrow, we will have to admit defeat on that matter—temporarily, but it will be defeat—because we have not been able to stop this monumental act of self-harm.

We should stand back for a moment and look at the bigger picture. I was taken by the contributions made by Patrick Harvie and Bruce Crawford. The

bigger picture is about how we got here and about our young people and where they go from here.

Patrick Harvie talked about the role of the EU as a peaceful and peace-making organisation. I have spoken about Brexit hundreds of times around Scotland in the past four and a half years; from time to time I told a personal story, which I will tell here because it means a great deal to me.

My memory of that story was first brought on by a speech that I heard in Berlin on 17 November 2016, which was given by Martin Schulz, then the President of the European Parliament. At a dinner that I attended in Berlin, he talked movingly about the way in which the second world war had damaged and created chaos within his family: a number of family members had died and others had been wounded. He pointed out the extraordinary nature of what happened next. The victor nations reached out their hands to the vanquished and said, “Never again—never again on this continent will this happen.” That was a remarkable and unique thing.

When I heard that, I was struck by something in my own history. My father volunteered for the Argyll and Sutherland Highlanders at the age of 19. When he was 20, he was wounded through the knee on the beach at Dunkirk and was carried off that beach. What must that have been like for a 20-year-old who had been brought up in the douce wee town of Troon? He must have felt terror. He must have wondered whether he would live or die and whether he would ever see his own country again. He did: he lived, although he had that wound for the rest of his life.

That never happened to me when I was 20, or to my son when he was 20. Even if it were only for that reason that I regard the EU as something that we should remain within, I would argue that for ever.

That is the issue that we address today. What happens at 11 pm tomorrow? What is the comparison between what we have now and what we lose? The first thing that we will lose is intangible—the belief that peace and prosperity come from the work of sovereign nations freely pooling part of their sovereignty in order to work together. That is what we will lose—what the United Kingdom will lose—and for no good reason except for a prejudice that is fuelled by tabloid newspapers, pandered to by the Conservatives and aided and abetted by Conservative members in this chamber. They should be ashamed of that.

If the deal is so good, why are the Conservatives so keen to blame those who will not vote for it? Surely they would want to take all the credit for the deal. The truth is that the deal is a bad deal and that they have tried to hide it under the economic effects of Covid. Now they want to

move on and to persuade us to forget about it. They use artificial language to talk about unity and believe that we should simply accept what has taken place.

I will not accept it, because I will not give up on that intangible. Many people in Scotland will not accept it; they will look at the circumstances and say a number of things. They will say that they have not been told the truth, that the people who persuaded them to follow the deal did not themselves believe in it and that an opportunity has been taken away from our young people.

There has been a lot of quoting of people who have spoken in various debates on the matter. In our first debate after the Brexit vote—I spoke in the debate, too—Miles Briggs said:

“Our young people take an internationalist view and we need to make sure that they have the opportunities to study, work and travel that they had before.”—[*Official Report*, 28 June 2016; c 49.]

I do not think that Miles Briggs is a bad person or that many of those on the Tory benches are bad people, but good people can be tainted by bad actions. They can be tainted by making promises that they fail to keep, but which also undermine the things that they had, such as the Erasmus scheme. [*Interruption.*]—No, I am sorry; I will not give way.

They can be tainted by arguing for a no-deal and then pretending that they did not do so. They can be tainted, in particular, by failing to lift a finger to help those people who will be so badly affected: the fishermen, the farmers, the exporters, our young people, those who defend our law and order, and even the Arbroath smokie. We heard about the Arbroath smokie this afternoon, but the reality is that there is no new legal protection for geographic indicators—none—in this deal. Therefore, even the one thing that was put forward as the advantage of the deal—[*Interruption.*]—No.

I do not want to talk down the Arbroath smokie—I am conscious that the member who represents Arbroath smokies is here in the chamber—but it is significant that the one thing that was claimed as a victory turned out not be a victory.

We should all be saddened by today. We have heard the ridiculous defence of the deal from the Conservatives—that ridiculous and threadbare defence—but it is not over. In that debate on 28 June 2016, I talked about what had made us European. We are not European because of a treaty that we signed 50 years ago, nor do we stop being European because of a treaty that somebody else signed today.

“It is not half a century of EU membership that has made us European; it is centuries of engagement. We were European before we were British—sending students to the

continent, sharing citizenship with France and appealing our very nationhood to Rome. Wine was being shipped to Loch Fyne—Loch Fine—”

in my constituency—

“in the 15th century. In war and in peace—an cogadh, an sith—we looked to Europe and it looked to us, in Voltaire’s words, for our very idea of civilisation.”—[*Official Report*, 28 June 2016, c. 42.]

We have an existential choice again. We have a choice of whether we can call ourselves European or whether we will have to narrow our horizons in the way that the Scottish Conservatives, to their shame, are telling us to narrow them. I will not narrow my horizons. I am European and I will remain European. I would be European even if I did not choose to be so. In time, this country of Scotland will return to membership of the EU. In so doing, we will simply make the choice that we have made for centuries. We will remember the people who tried to stop us making that choice. It is a foolish thing to do, because even the Scottish Conservatives cannot stand against the will of the Scottish people.

The Presiding Officer: That concludes the debate on the trade and co-operation agreement between the United Kingdom and the European Union. We will move straight to the questions.

The first question is, that amendment S5M-23815.2, in the name of Ruth Davidson, which seeks to amend motion S5M-23815, in the name of Nicola Sturgeon, on the trade and co-operation agreement between the United Kingdom and the European Union, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. I suspend Parliament for a few moments to allow members to access the voting app.

15:33

Meeting suspended.

15:36

On resuming—

The Presiding Officer: We move straight to the vote on amendment S5M-23815.2. This is a one-minute division.

The vote is closed. If any member had difficulty voting, please let me know by raising a point of order in the chamber or online.

For

Balfour, Jeremy (Lothian) (Con)
Ballantyne, Michelle (South Scotland) (Ind)
Bowman, Bill (North East Scotland) (Con)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Cameron, Donald (Highlands and Islands) (Con)

Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mason, Tom (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

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

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

The Presiding Officer: The result of the division on amendment S5M-23815.2, in the name of Ruth Davidson, which seeks to amend motion S5M-23815, in the name of Nicola Sturgeon, on the trade and co-operation agreement between the United Kingdom and the European Union, is: For 30, Against 94, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-23815.3, in the name of Richard Leonard, which seeks to amend motion S5M-23815, in the name of Nicola Sturgeon, on the trade and co-operation agreement between

the United Kingdom and the European Union, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a one-minute division.

The vote is closed. If any member had difficulty in voting, they should let me know by raising a point of order in the chamber or online.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)

Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Ind)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Ind)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mason, Tom (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)

Wells, Annie (Glasgow) (Con)
Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on amendment S5M-23815.3, in the name of Richard Leonard, which seeks to amend motion S5M-23815, in the name of Nicola Sturgeon, on the trade and co-operation agreement between the United Kingdom and the European Union, is: For 94, Against 30, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-23815, in the name of Nicola Sturgeon, on the trade and co-operation agreement between the United Kingdom and the European Union, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed. If any member had difficulty in voting, they should let me know.

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): On a point of order, Presiding Officer, I had difficulty in voting but would have voted in favour of the motion.

The Presiding Officer: Thank you, Ms Hyslop. It will be noted that you would have voted in favour of the motion, and your vote will be added to the roll.

Michael Russell: On a point of order, Presiding Officer, I have not received confirmation of my vote. I would have voted yes.

The Presiding Officer: Thank you, Mr Russell. I have checked the position and can confirm that your vote has already been counted.

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): On a point of order, Presiding Officer, my app did not activate so I was unable to vote. I would have voted yes.

The Presiding Officer: Thank you, Ms Campbell. Your vote will be added to the roll.

I advise Margaret Mitchell and Mark McDonald that their votes have been recorded so there is no need for them to make points of order.

For

Adam, George (Paisley) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)

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

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

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Ind)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mason, Tom (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Abstentions

Neil, Alex (Airdrie and Shotts) (SNP)

The Presiding Officer: The result of the division on motion S5M-23815, in the name of Nicola Sturgeon, on the trade and co-operation agreement between the United Kingdom and the European Union, as amended, is: For 92, Against 30, Abstentions 1.

Motion, as amended, agreed to,

That the Parliament notes the legislative consent memorandum on the European Union (Future Relationship) Bill lodged by the Scottish Government on 29 December 2020; considers that, while a no deal outcome must be avoided, the Future Relationship Agreements negotiated by the UK Government would cause severe damage to Scotland's environmental, economic and social interests; regrets that, unless the UK Government follows the EU approach of provisional ratification, the European Union (Future Relationship) Bill will receive severely limited scrutiny in the UK Parliament, with very little time given to parliamentarians in the UK Parliament and devolved

legislatures across the UK, failing to recognise the significance of the agreement and failing to respect the important role of the Scottish Parliament in scrutinising legislation requiring its legislative consent; therefore does not consent to the European Union (Future Relationship) Bill; calls on the UK Government to seek a pause in current implementation while special arrangements are made to take account of these difficulties for Scotland and for the many others that will become apparent as the Bill is more fully considered; urges the Scottish Government to provide further mitigation to businesses and sectors impacted by this Agreement and the COVID-19 pandemic, and calls on the UK and Scottish governments to work together to ensure that the current rights of workers, and Erasmus, are protected and that the highest environmental standards are upheld.

Covid-19

The Presiding Officer (Ken Macintosh): The next item of business is a statement from the First Minister Nicola Sturgeon on Covid-19. The First Minister will take questions at the end of her statement. I encourage all members who wish to ask a question to press their request-to-speak button.

15:45

The First Minister (Nicola Sturgeon): I will give a report on today's statistics and then a short update on some other issues.

As has been published this afternoon, the total number of positive cases reported yesterday was 2,045. That represents 11.3 per cent of the total number of tests and takes the total number of confirmed cases in Scotland to 124,831. That is a significant number of new cases—a record high for a single day—and it demonstrates the severity of the situation that we face right now.

There are 1,133 people in hospital, which is 41 more than yesterday, and 69 people are in intensive care, which is four more than yesterday.

I am sad to report that 43 additional deaths have been registered in the past 24 hours of patients who had tested positive. In total, 137 deaths have been registered in the past seven days. That takes the total number of deaths under the daily measurement to 4,510.

National Records of Scotland has not published its usual weekly update today because not all registration offices have been open throughout the festive period. However, the figures that were published last week showed that the total number of deaths is now more than 6,000. Each one of those deaths is heartbreaking, and so again I send my condolences to all those who have lost a loved one.

There are three other issues that I want to cover today. The first is the University of Oxford-AstraZeneca vaccine that, earlier today, was authorised for supply in the United Kingdom by the Medicines and Healthcare products Regulatory Agency. That is obviously extremely good news. It means that there are now two effective Covid vaccines available for use in the UK. The Oxford-AstraZeneca vaccine is logistically easier to deliver than the Pfizer one and the UK has secured a much higher number of doses of that vaccine.

It is also now recommended that the second dose of both vaccines can be given up to 12 weeks after the first, rather than three. That means that we can now prioritise providing a first dose to as many people as possible, rather than providing

the required two doses in as short a time as possible. That will allow more people to be vaccinated more quickly.

We have been preparing for the deployment of the Oxford-AstraZeneca vaccine for some time and I can confirm that it will be administered in Scotland from Monday 4 January. As of last Sunday, more than 92,000 people had already received their first shot of the Pfizer vaccine, but today's news means that more people will get their first dose of a Covid vaccine sooner than anticipated.

The second issue that I want to touch on is the restrictions that are now in place across the country. On boxing day, Orkney, Shetland, the Western Isles and some other island communities moved to level 3, while the rest of Scotland—the vast majority—moved to level 4. That is not the way that any of us wanted to end 2020 or start the new year, but the new restrictions reflect the severity of the threat that the new variant poses. Analysis that has been done by Public Health Scotland shows that, yesterday, 42.8 per cent of the positive tests that were processed for Scotland in the Lighthouse lab network had the S gene dropout that is indicative of the new strain. That is higher than the 38 per cent that was suggested by Office for National Statistics analysis for the week beginning 14 December, which in turn compares to just 6 per cent at the end of November.

The new strain therefore appears to be fast becoming the dominant one in Scotland, which is obviously a cause for concern, given that it is thought to be significantly more transmissible. As I indicated before Christmas, the severity of the challenge means that we simply cannot rule out the need for restrictions that are even tighter than the current level 4 restrictions. We continue to assess the situation carefully and on a daily basis, and we will keep Parliament updated should any changes be required over the remainder of the festive period.

As we learn more about the new variant, we continue to review when pupils can return to classrooms. The new strain has already made a normal scheduled return impossible, but we continue to assess whether it will be possible to reopen schools as planned on 18 January. I think that that is what we all want and, to be clear, it remains our planning assumption, but we will continue to put the safety of pupils, teachers and staff first. Of course, we will ensure that parents are given as much notice as possible of any changes that we consider to be necessary.

For now, of course, it is vital that we all do as much as possible to suppress transmission. That means limiting our interactions with people in other households beyond those that are absolutely essential. I remind everyone that our very strong

advice right now is that people should stay at home as much as possible and, when we go out, we should stay as close to home as possible. With a few limited exceptions, none of us should be visiting other people's homes and none of us should be travelling to another local authority area, unless it is for an essential purpose. There must be no non-essential travel between Scotland and other parts of the United Kingdom, and that advice also applies to overseas travel.

We should also remember the FACTS advice, which is to wear face coverings; avoid crowded places; clean hands and surfaces; keep 2m distance from people from other households; and self-isolate and get tested immediately if you have symptoms. Let me take the opportunity to stress that testing centres are open throughout the entire festive period so, if you experience Covid symptoms, please do not wait—book a test immediately. It is very important that you do so.

It is worth noting that the NHS 24 mental health hub is also open throughout the festive period. Support of that kind is particularly vital at a time when so many of us are missing our loved ones and normal social interaction. Therefore, if you feel that the restrictions are affecting your mental health and if you need help or advice, please do not hesitate to call 111.

Finally, I want to say a few words about Hogmanay, which is tomorrow. I know that most of us will be glad to see the back of 2020—I certainly speak for myself when I say that. Today's news about the new vaccine should, and I think will, give all of us greater hope for the year ahead. However, for now, it is vital to do everything that we can to suppress the virus, particularly given the risk of the new variant. That is important to keep ourselves and our loved ones safe, and to protect the national health service.

We therefore must mark this new year responsibly and in line with the restrictions that are in place. To be clear—I take no pleasure in saying this—that means no gatherings, no house parties and no first footing. Instead, we should bring in 2021 in our own homes with just our own households. I cannot stress enough that the new strain is very serious. Our prospects for the rest of the new year will be better if we get off to a safe start, so I urge everyone to be responsible on Hogmanay. I know that it is hard, particularly for young people, but it is how we best protect ourselves and our loved ones.

It also helps the NHS, and it needs our help just now. In Scotland, so far, the numbers in hospital and intensive care units are not at the levels of the peak of the first wave, but the NHS is under pressure. Everything that we do as individuals to stop the virus spreading helps to reduce the number of people who will end up in hospital and

ICU beds over the next few weeks. Obviously, that really matters, for a number of reasons.

As this awful year draws to a close, I again thank everyone across Scotland for your sacrifice and patience, and for looking out for one another. We have every reason to believe that the spring of 2021 will bring better times, but we must first get through these difficult few weeks of winter, so let us stick with it and keep looking after one another.

I end by wishing everybody, across the chamber and at home, a better, brighter and happier new year when it comes.

Ruth Davidson (Edinburgh Central) (Con): I thank the First Minister for the advance copy of her statement.

We all welcome the news of the Oxford-AstraZeneca vaccine being approved and look forward to Scotland's share of the 100 million doses that have already been purchased by the UK Government being delivered. Despite the positive development of a vaccine becoming available with fewer logistical challenges than the Pfizer one, people across Scotland will be concerned by the rising rates of transmission that have been caused by the new variant of Covid and its advance to becoming the dominant strain here. That troubling news makes today's vaccine announcement welcome and timely.

People will want information. The list of vaccination centres that was published on 23 December included hospitals, clinics and general practitioners' surgeries across Scotland, which it is intended will be used from January to vaccinate all over-80s who are not resident in care homes. We must be hopeful that the next phase of vaccination can be concluded as quickly as possible and that we can move on to wider cohorts of the population. As that will almost certainly require a greater level of infrastructure than that which was announced, can the First Minister update us on the work that is being undertaken to identify and secure venues for mass vaccinations and on when a list of those venues will be published?

We also know that the national figure of trained vaccinators is around 4,000 people, but every health board will need enough staff to deliver across its region. What confidence does the First Minister have that each area has the staff that it needs? Can she publish a breakdown of the numbers of trained vaccinators by health board?

The First Minister: We will look to publish updates on all of that to Parliament as soon as possible and then on an on-going basis as regularly as possible.

I have confidence in the centres and the infrastructure where the vaccine will be delivered, as well as in our estimates of the numbers of

people who will be available to do that. I say that I have confidence, but we take nothing for granted—there is not an ounce of complacency. I and the Cabinet Secretary for Health and Sport receive daily updates on the progress of the vaccination programme. It is going well so far, but we need to make sure that we can pick up the pace to meet the increased supply that we are now likely to have with the AstraZeneca vaccine coming on stream and because of the increased availability resulting from the fact that it is now not required to deliver two doses within a three-week period. That will give us the ability to vaccinate many more people much more quickly.

We are still awaiting certainty on the delivery schedules for the Oxford-AstraZeneca vaccine, and we will provide an update as quickly as we can on our expected timescales. As well as the advantages that it offers with regard to vaccine centres, because the new vaccine is logistically easier to deal with, it can be got to GP practices more easily, which will allow us to speed up the vaccination of—in the first instance—those over the age of 80 who are not in care homes.

We take nothing for granted, but we will get people vaccinated as quickly as possible, and we will update Parliament as regularly as we can about our expectations as our knowledge of the certainty of delivery becomes more concrete—as, I hope, it will in the coming days.

Richard Leonard (Central Scotland) (Lab): We are at a critical moment in our response to the pandemic. The welcome approval of the Oxford vaccine, which has been announced today, means that the challenge is now to accelerate the vaccination programme and to do so with urgency. However, the recent increase in cases and the spread of the new strain demand clear and rigorous control measures in the meantime.

As the First Minister has said, teachers and other school staff are due to return to work in a few days' time even though routine testing is still not in place and despite the fact that they are not a priority for vaccination. They are still concerned about the full return on 18 January being safe. Parents will hear the First Minister's comments today and wonder whether schools really will be able to return to face-to-face teaching after 18 January. Many of them are worried about the implications of a return to home learning.

Can the First Minister tell us more about how and when she will engage with school staff and parents to address those genuine concerns? If changes relating to schools are to be announced, can she be a bit clearer about the point at which that will happen?

The First Minister: We face a severe situation, given the new strain, the fact that it is becoming

the dominant strain and the fact that it is a strain that spreads more quickly. That is why it was so important that we took the very cautious and precautionary action that we took.

It is not that long ago that Richard Leonard was urging me to reduce restrictions here, in the city of Edinburgh, for example. Yesterday, the implication of an article that he wrote appeared to be that we should open pubs again. It is really important that we do not follow such advice and that we take really cautious and sensible action in an effort not to allow the virus to transmit any further or any more quickly than it is already capable of doing.

The decisions on schools are very sensitive and important decisions for us to take. We have, of course, already taken the decisions to delay the return of schools and to enable pupils to have the first week as online learning, as opposed to in-school learning. We want to see schools back normally on 18 January, but, over literally the next few days, we will assess the up-to-date situation and, if there are changes to that, as I said in my statement, we will set those out as early as possible to give parents and, obviously, teachers as much notice of that as possible.

I will make two final points. First, we are working on plans for greater use of testing in schools once the new term gets under way. We have already been doing that, and the health secretary has shared some details of it.

Secondly, on vaccination, as I am pretty sure Richard Leonard knows, it is not politicians or Governments who decide the order of priority for vaccination; we accept recommendations from the Joint Committee on Vaccination and Immunisation. It comprises the experts, and they tell us, on the basis of what they know about the protections that the vaccines give, the correct order of priority. We will continue to take those recommendations, and, if they suggest a different order of priority, we will reflect that in our planning.

Patrick Harvie (Glasgow) (Green): I am grateful for advance sight of the statement.

Like others, I stand in continued awe of those who have worked hard to make vaccines available within the timescale in which they have done so. However, we clearly still have weeks and months, rather than days and weeks, to live with the current heightened danger from the pandemic.

The First Minister said in her statement that the Scottish Government will put the safety of pupils, teachers and staff first. Does that mean that it will place a higher priority on safety than on sticking rigidly with the pre-planned reopening dates? If we are putting safety first, it is surely clear that schools should not reopen until the virus is under control.

Speaking of those pre-planned dates, I note that the First Minister said that the Government continues to assess whether it will be possible to reopen schools as planned. What metrics will be used as the basis for a decision on reopening? What additional safety measures have been identified as being needed in schools to successfully address the risk that is posed by the new strain? Are those measures already being put in place, or are schools unclear about what they will be?

In relation to the final point that the First Minister made in replying to Richard Leonard, what advice is the Government receiving on whether teachers and school staff should have prioritised access to the newly increased vaccine capacity?

The First Minister: First, we have always put safety first when it comes to schools and to the country more generally. Perfectly understandably, there will be differences of opinion, in the case of schools, between some teachers and the Government about what putting safety first means, but safety has been and always will be the driving imperative. Part of ensuring children's safety overall, of course, is having them in full-time education, as far as possible, and learning with their peers in a way that is as close to normal as possible. Nevertheless, we will not compromise on safety.

The figures on transmission in schools, both for young people and for Covid cases among teachers compared with people in other professions—from memory, I think it is Office for National Statistics analysis—suggest that we have been able to have schools open safely. The new strain changes some of the assumptions, however, because of its faster-spreading nature, which we have to take into account.

On the metrics, we look at the overall rate of community transmission. Right from the outset, we have said clearly that one of the conditions for schools being open as normal is having community transmission under control, so that will be part of the judgment that we make. Let me be very clear that the safety of pupils, teachers and other staff in our schools has always been and will always be paramount, but, to make sure that we have the conditions for schools being open, the rest of us have to do all the other things to suppress the virus. I made the point to Richard Leonard that part of the reason why some places that adults enjoy going to have to be closed right now is that broader effort to suppress the virus.

On the advice about vaccination, the JCVI advice is published and we have the phase 1 order of priority. Obviously, there will be teachers in some of those categories, such as people with health conditions. If the advice changes, we will reflect that in our planning. Once we go into the

next phase, which will cover people under the age of 50, there will be advice, which we will consider, on the order of priority among them. We will continue to take advice and act on the basis of that advice, because that is what the experts say is the most sensible approach, given what we know about the vaccine, how it operates and the protections that it delivers.

Willie Rennie (North East Fife) (LD): The First Minister talks about the NHS being under pressure. I have a letter dated 21 December from John Connaghan, the interim chief executive of NHS Scotland, which states that

“Boards can pause all non urgent elective and routine services during January and February”.

Waiting lists and times are already very long, and people are suffering pain and discomfort. Can the First Minister indicate how many boards will be pausing all those services?

The First Minister: That will vary depending on the prevalence of the virus in different areas. We want that to be kept to a minimum, and we want health boards and the health service generally to get back to normal as much as possible. The remobilisation of services process has been under way. Obviously, there is a need to have in place greater infection prevention and control procedures during Covid, and that will continue to affect the numbers of patients who are being seen. We are working with health boards to try to keep that process going, while we also deal with, treat and care for patients with Covid.

That takes me back to the central point: we will be more able to do that in every health board area and across the country as a whole if we get and keep the levels of infection down.

Our health service is working under extreme pressure. I want to take the opportunity again today to thank everybody working in it. Many of them will never have experienced pressure like this. Right now—obviously, this is not something that we can be complacent about—our numbers of Covid patients in hospital beds or in an ICU are below the peak that we saw in April. The ICU numbers in particular are quite significantly below that peak; hospital bed numbers more generally are less so, but still below it. If we suppress the virus and keep it suppressed or suppress it more, we can continue that, which will create the space for us to open up and remobilise more of the services that NHS boards want to be doing.

Ruth Maguire (Cunninghame South) (SNP): The Equality and Human Rights Commission's report, “Equality in residential care in Scotland during coronavirus (COVID-19)”, which was published this month, has a number of recommendations for Government, health and social care partnerships and care homes. They

are all worthy of consideration and action, but my question is specifically about visiting and family contacts. Family relationships are so important for health—I know that we all understand the devastating impact that isolation can have on people. The report recommends that all homes

“Carry out person-centred risk assessments for each resident to ensure that visits can safely resume.”

What will the Scottish Government do to ensure that that is happening at all homes, at all times, so that the resumption and continuation of crucial family contact can go ahead?

The First Minister: Everybody, without exception, is deeply sympathetic to the situation faced by people who are desperate to see loved ones in care homes. Again, I want to give an assurance that we are doing all that we can to allow people to visit safely, while also ensuring the safety of residents, which everyone accepts is of vital importance.

The visiting guidance is clear that care homes need to undertake a risk assessment prior to facilitating any form of visiting in a care home. In addition, care homes should undertake an assessment of the views and needs of each resident, and that should be documented in their care plan.

The move to level 4 for mainland areas means that visiting is restricted to essential visitors for indoors and outdoors visiting. It is important that essential visits continue to be supported. They include circumstances in which it is clear that a person’s health and wellbeing is changing for the worse, where visiting might help with communication difficulties, to ease significant personal stress, or in other pressing circumstances, which obviously includes when someone is approaching end of life.

We will continue to approach all those issues with the utmost sensitivity, within what I know that everybody accepts is an incredibly challenging situation, particularly for those working on the front line.

Jamie Greene (West Scotland) (Con): The First Minister mentioned giving parents as much notice as possible on the plans for schools, but the 18th is just three weeks away. By what date will a final decision be made, to allow parents to plan? Can the First Minister confirm that key worker hubs, which we welcome, will stay open for as long as they need to, while schools are closed to all pupils? Does the Government have any plans for mass asymptomatic testing of pupils and staff in schools, colleges and universities? If not, why not?

The First Minister: The arrangements for vulnerable children and the children of key

workers will remain in place for as long as necessary. I am always grateful that people remind me of how many days there are between now and a particular date in future. I am acutely aware of that, and of the pressures that parents are under and their understandable and legitimate desire for as much certainty as possible. We are trying to balance doing what is required and not shying away from difficult decisions. However, we will not take decisions that will have a massive impact on young people and parents before we think that those are necessary.

As I think I have said twice today, we will give as much notice as possible. However, we are literally assessing the situation on a daily basis. I think that some announcements are being made south of the border today about schools in England. All Governments are in the same position.

Whatever the situation is, the arrangements in place for vulnerable children and children of key workers require to continue and will continue.

Stuart McMillan (Greenock and Inverclyde) (SNP): I am aware of a paramedic who is concerned by the increase in Covid numbers going to hospital and resulting in delayed handover times. On boxing day, the London Ambulance Service recorded one of its busiest days on record, as the number of coronavirus patients receiving hospital treatment in the south of England heads towards the April peak as a result of the rapid spread of the new strain of the virus.

The First Minister touched upon Hogmanay in her opening statement. Will she reiterate the best ways for people to keep themselves and their loved ones safe tomorrow and prevent our NHS and the Scottish Ambulance Service from being overwhelmed?

The First Minister: I acknowledge the job that our paramedics and Ambulance Service staff do all year round, particularly at this time of year, when, even without a global pandemic to contend with, all our emergency services are particularly busy. I know that they have the gratitude and appreciation of us all. This Christmas and new year period, they are particularly busy because of the pressures of Covid. We—I know that our emergency services share this view—do not want any unnecessary delays in ambulance staff transferring patients to hospital. We continue to work closely with health boards and the Ambulance Service in real time to resolve any issues that arise there.

In response to Stuart McMillan’s question, let me reiterate that the best way for us all to protect front-line staff, including the Ambulance Service, is by minimising the transmission of Covid. Again, my message for Hogmanay is tough—it is difficult

for everybody—but it is simple and vital. We should not mix indoors with other households. Please, please bring in the new year in your own home, with your own household only. That is the best way that we can protect the NHS and get ourselves into the new year on as safe a basis as possible.

Iain Gray (East Lothian) (Lab): I have listened carefully to the First Minister's thinking on schools, but one of the things that parents and school staff are worried about is reports that the new strain of Covid not only spreads more quickly, but more readily affects young people. Will the First Minister update us on the evidence that she has on that, and on how it is shaping her thinking with regard to reopening schools?

The First Minister: I do not yet have definitive or conclusive evidence one way or the other on that. I talked a bit about the matter in our last meeting of Parliament before Christmas. Experts are exploring and investigating the issue.

That situation is absolutely among the things that are influencing our thinking about schools and is making us even more cautious on that front. There is no doubt about that. Because of the faster spread of the new strain, we would be more cautious anyway, but the suggestion that it might be more likely to infect young people adds to that caution. That is why we are continuing to take decisions with the utmost care. If there are changes to what we have set out, we will act on them as quickly as possible, and will give as much notice as possible. We will do that with the safety of children, their teachers and other staff absolutely at the forefront of our minds.

Emma Harper (South Scotland) (SNP): There was a sharp rise in positive cases of the new strain of Covid 19 across Wigtownshire and south Annandale in Dumfries and Galloway over Christmas. Will the First Minister provide an update on what additional steps are being taken by the Scottish Government and NHS Dumfries and Galloway in the light of that increase, and say whether there is any indication of the causes and cases being connected, as they are 96 miles apart?

Given that we are seeing evidence of the impact that travel in and out of the country is having on spread of the virus, would the Scottish Government consider asking the United Kingdom Government to close or tighten external borders to all but essential travel?

The First Minister: The incident management team in Dumfries and Galloway is meeting daily to address the situation. I also understand that the local resilience partnership is meeting this afternoon to consider the concurrent risks that arise from the outbreak. There has been an

increase in testing capacity to provide an additional 200 testing spaces per day in Stranraer and the Stranraer area for this week. A number of steps are being taken; more will be taken as required.

On travel, I could not be clearer: people should not travel unless doing so is absolutely essential. There are a number of layers to that. None of us, unless it is essential, should travel far from home at all. People should stay at home, or as close to home as possible. There is a legal restriction on travelling outside one's local authority area unless doing so is essential. Again, I say that people should not travel across the England-Scotland border or between Scotland and the other parts of the UK and vice versa unless it absolutely cannot be avoided for essential purposes. That applies to overseas travel, as well. We are in a global pandemic, so we must take very seriously all advice on travel. I ask people, please, to stay at home or close to home, because that will help us to get through the next difficult few weeks until—we hope, through the news about vaccines today—we get to the brighter times in spring next year that we are all desperate to see.

Donald Cameron (Highlands and Islands) (Con): In the light of the welcome news today about the Oxford vaccine, what steps is the Government taking to ensure that health boards are co-ordinating delivery of both available vaccines, especially in rural and remote parts of Scotland, including the Highlands and Islands? Can the First Minister be more specific about the role of GPs in wider community vaccination?

The First Minister: Delivery of different vaccines that have different logistical requirements is part and parcel of the vaccination plan. That is mainstreamed in the plan and hardwired throughout it. As everybody knows, the Oxford-AstraZeneca vaccine is logistically in many ways much easier to deliver than the Pfizer one, so that will make it easier to get it to rural communities and general practices, and opens up much speedier vaccination of different groups.

We will also use mobile vaccination units where necessary and appropriate, which will help health boards to take the vaccine to the more remote and rural parts of the country. There is a fully integrated plan that recognises the different requirements of the different vaccines. I hope that there will, before too long, be more vaccines approved for supply.

A point that I should perhaps have made earlier, in response to a question about the numbers of vaccinators, is that we are starting to get to the end of the flu vaccination programme, so people who are doing the flu vaccination are switching over to the Covid vaccination. The plans are well developed and will be kept under daily review. We

are absolutely focused on getting the vaccine to as many people as possible, as quickly as is feasible and as supplies allow.

Sandra White (Glasgow Kelvin) (SNP): Although Covid-19 is quite rightly at the forefront of people's minds, it is crucial that we encourage anyone with a health concern not to put off accessing the NHS. Can the First Minister provide support for that message, which I am giving out, and give assurances that our NHS is open to everyone who has health concerns?

The First Minister: Before I come to that question, I will round off my last answer by saying that the Cabinet Secretary for Health and Sport has reminded me that she is writing today to all MSPs with an update on the vaccination programme, and will do the same again next week. I am sure that that information will be helpful.

On Sandra White's very important question, it is vital to stress that, although the NHS has been restricted in what it has been doing in the past few months, it is open for those who need it. General practices remain open and accessible for patients and are at the forefront of our community services to deal with non-Covid medical care. NHS 24 also continues to support people when their general practice is closed, and people with urgent but not life-threatening conditions who would usually visit accident and emergency departments can now call NHS 24 day or night, which means that people should continue to call 999 or go directly to A and E in emergencies.

For people who are receiving treatment, strict infection prevention and control measures are in place when they attend appointments. If anyone has concerns about safety, clinical teams are there to provide the necessary assurance so that patients feel safe.

Public messaging is currently being delivered via NHS 24's campaign, "Show you care. Prepare". The campaign on getting the right care in the right place will also increase its reach across the public over the course of January.

The main message to people right now is this: the NHS is open if you need it, and if you need it you should use it.

Pauline McNeill (Glasgow) (Lab): Does the wonderful news about the AstraZeneca vaccine bring closer the end of the time for full roll-out of vaccination? Am I right in thinking that the Government's detailed modelling says somewhere that the Government hopes to get there—or to 65 per cent—by March, April or May? I note that the First Minister said that it is expected that adults over 50 will be vaccinated by the spring, but when I checked I realised that "spring" means as late as 21 June. It would be helpful to get confirmation of

that, and to hear what the First Minister thinks we can all do to maximise take-up of the vaccine.

The First Minister: The news today will allow us to accelerate significantly the JCVI's first-priority list, which we had hoped to deal with during the spring. Some of the flexibility around the dates is due to the fact that we still do not have complete certainty about the supplies that we will get and when we will get them. That is true for the AstraZeneca vaccine, but as we get it we will be able to make predictions and expectations much more concrete. I remind members that the JCVI's first-priority list covers everyone over 50. After that, we will move on to the rest of the population.

There have been two good-news stories today—the new vaccine, which will provide more doses for us to use, and the new advice on the interval between doses. The JCVI had previously advised that we should hold back 50 per cent of available doses and give the second dose within three weeks. We no longer have to do that, so more doses of our existing supply are available to give more people the first shot of the vaccine. Once we have greater certainty about delivery schedules, we will work out exactly what that means for numbers and over what timeframe. There is, however, no doubt that today's news means that more people will be vaccinated more quickly than we had anticipated when I spoke to Parliament last week.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): The current level 4 travel restrictions allow an exception for travel up to 5 miles from a person's local authority boundary for outdoor and informal exercise. Some people are interpreting that as 5 miles as the crow flies, not as the odometer reads. This week, the car park at Flotterstone, in my constituency, was jammed as folk took to the Pentland hills. That was in conflict with the First Minister's entreaty to people to stay close to home. Will that travel exception be reconsidered if there is a review of level 4, as it does not seem to be essential?

The First Minister: We will keep all such things under review, given the circumstances that we face. On exemptions to the restrictions on travel for exercise, we have tried to strike a balance between the steps that we need to take to prevent the spread of the virus and a recognition of the health and wellbeing benefits of exercise. That balance allows local, informal, outdoor exercise, such as walking, cycling and running that starts and finishes at the same place. That can be up to 5 miles from the boundary of a person's local authority area, but I appeal to people only to do that if it is necessary and to exercise as close to home as possible.

I cannot stress enough the importance right now of all of us staying at home and as close to home

as much as possible. That really will help us to avoid the spread of the virus. I say in direct response to Christine Grahame that we will keep all these matters under on-going review.

John Scott (Ayr) (Con): Although the new variant strain of Covid-19 is on the rise, which is immensely concerning, intensive care unit and other hospital beds are, thankfully, not overwhelmed. Will the First Minister tell us what impact the arrival of the new variant has on detecting and treating other—regrettably more routine—diseases, such as cancer, particularly in Ayrshire? Will other diseases continue to be treated in Ayrshire and across Scotland?

The First Minister: The more that we can suppress this strain of the virus, the more that we can protect our NHS from being overwhelmed; that was also true of the previous strain of the virus.

I gave the figure of there being 60-something patients in ICU as of today; the peak number of people in ICU in Scotland back in April was 200. We are therefore significantly below that number. However, the figure has been rising again and, with the case numbers that we are seeing—particularly yesterday and today—we have a concern that it will rise quite significantly in the period ahead. That makes it all the more important that all of us take our responsibility to suppress the virus very seriously.

It is also really important that health boards prioritise non-Covid care. I will not repeat everything that I have said previously about NHS remobilisation, but it has been made clear to health boards that they must maintain urgent, elective and vital cancer services, which now include national cancer screening programmes.

Unfortunately, we have had to make lots of invidious trade-offs during the course of the pandemic. However, the vaccine will help us. The priority list for the vaccine recognises that we do not yet know whether it limits transmission, but we do know that it suppresses severe disease. Therefore, as it rolls out, it should help us to keep the Covid pressure off our NHS and particularly off ICU.

None of this is straightforward, and those on the front line of our national health service are bearing the burden. It is for all of them, as well as for ourselves and each other, that I continue to appeal to people to do the right thing, particularly over the next period.

Sarah Boyack (Lothian) (Lab): Will the First Minister publish the rate of progress in relation to vaccination in our care homes? Many relatives of those in care homes are still understandably anxious, and being able to see how many

people—both staff and residents—are being vaccinated would be important for morale.

The First Minister: We will publish more of a breakdown of the progress of vaccination. Right now, we publish on a weekly basis the total number of people who have received the vaccine. As of Sunday, the figure was more than 92,000; it will be a fair bit higher than that as of now.

We have to make sure that any figures that we publish are robust and reliable. As we do that, we will provide breakdowns in relation to different settings, which will include care homes. As vaccination in care homes was one of the first parts of the vaccination programme to get under way, it will be one of the first that is completed, which we hope will be very soon.

Point of Order

Jenny Marra (North East Scotland) (Lab): On a point of order, Presiding Officer. I do not think that my vote on the motion as amended was recorded. The app did not connect and although I tried to make a point of order through the chat function, I think that it was the wrong one. I would have voted yes on the motion as amended. Can you please record my vote?

The Presiding Officer (Ken Macintosh): I thank Ms Marra for her point of order. Your point will be noted in the *Official Report*. I am afraid that I cannot change the result of the vote. There is a gap between members voting and when I announce the result, and I cannot change it after that. However, you have made a point of order, which will be in the *Official Report*.

Decision Time

The Presiding Officer (Ken Macintosh): There are no further votes this evening. I therefore thank members for attending this recalled sitting of Parliament. I wish you all a very peaceful new year and I look forward to seeing you all again in 2021.

Meeting closed at 16:28.

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

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